

**COMMUNITY DEVELOPMENT DEPARTMENT  
OVERSIGHT BOARD REPORT**

**REGULAR OVERSIGHT BOARD MEETING OF DECEMBER 12, 2012**

Honorable Members of the Oversight Board:

**DISCUSSION REGARDING SOLICITING REQUEST FOR QUALIFICATIONS FOR  
LEGAL COUNSEL FOR THE OVERSIGHT BOARD**

This memorandum is prepared for the Oversight Board meeting scheduled for December 12, 2012.

**IT IS RECOMMENDED THAT THE OVERSIGHT BOARD:**

- 1) Discuss the status regarding soliciting Requests for Qualifications for legal counsel for the Oversight Board

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On June 7, 2012, the Oversight Board directed staff to release the Request for Qualification for legal counsel services for the Oversight Board.

The process that was recommended and approved by the Oversight Board was to conduct an open and fair recruitment of law firms or attorneys through a Request for Qualifications (RFQ). The RFQ requested statements of qualifications, background, experience, and particular expertise in certain areas of public law from qualified, eligible, and interested attorneys or law firms. The RFQ requested the following information: a description of the firm/attorney, resumes of designated attorneys, three to five references for similar work with public agencies, a description of the services available, and a proposed hourly rate schedule.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Redevelopment Dissolution Act, AB x1 26 requires that each Successor Agency have an Oversight Board to oversee the actions of the Successor Agency. Although, the dissolution legislation and subsequent amendments under AB 1484 do not make any provision for hiring legal counsel for Oversight Boards, the County Auditor Controller indicated in a memorandum dated May 3, 2012, that Oversight Board legal counsel fees should be listed as part of Successor Agency administrative allowance. As such, the Huntington Park Successor Agency allocated \$16,000 for Oversight Board legal fees for each of its approved administrative budgets for ROPS 2 (July 2012 through December 2012); and ROPS 3 (January 2013 through June 2013).

## **ANALYSIS**

Staff identified 10 law firms that specialize in redevelopment law, real estate transaction and the legislation related to the dissolution of redevelopment. The list of potential law firms was compiled from lists developed by other Successor Agencies. Staff contacted all the law firms and e-mailed and mailed each of the firms an RFQ. The RFQ was issued on June 12, 2012 with a due date of June 21, 2012 at 12:00 p.m. Staff received three proposals from the following law firms:

1. Renne Sloan Holtzman Sakai LLP
2. Green, de Bortnowsky & Quintanilla. LLP
3. Colantuono & Levin, PC

Due to the unexpected true-up payment of \$2.5 million, which left the Huntington Park Successor Agency with a deficiency in funds to pay for all of its obligations approved in ROPS 2, the Oversight Board suspended the recruitment process.

## **FISCAL IMPACT OF PROPOSED ACTION:**

Based on the proposals received, the cost for legal services range between \$195 and \$285 per hour for legal services and the monthly fees will depend on the level of legal services required.

## **CONCLUSION**

Staff recommends the Oversight Board discuss the status regarding the Request for Qualifications to provide legal services.

Respectfully submitted,

RENÉ BOBADILLA, P.E.  
City Manager

JULIO MORALES  
Finance Director

Jack Wong  
Interim Community Development Director

Attachments:

- A. Request for Qualifications for Legal Services
- B. List of Legal Firms

Law Firm Name	Address	Contact Person	Phone Number	E-mail Address	FAX Number
Colantuono & Levin, PC	300 So. Grand Avenue, Ste 2700 Los Angeles, CA 90071-3137	Teresa L. Highsmith	(213) 542-5703	<a href="mailto:THighsmith@CLLAW.US">THighsmith@CLLAW.US</a>	(213) 542-5710
Scott H. Howard	1267 Norwich Lane Ventura, CA 93001	Scott H. Howard	(818) 618-8877 (805) 653-0844		
Goldfarb Lipman Attorneys	523 W. Sixth Street, Suite 1220 Pacific Center Los Angeles, CA 90014	J. Collins	(213) 627-6336	<a href="mailto:Jcollins@goldfarblipman.com">Jcollins@goldfarblipman.com</a>	510 836-1035
Stadling Yocca Carlson & Rauth	100 Wilshire Boulevard, Suite 440 Santa Monica, CA 90401	Allison Burns	(949) 725-4187	<a href="mailto:aburns@svcr.com">aburns@svcr.com</a>	1 (424) 214-7010
Kane, Ballmer & Berkman	515 S. Figueroa Street, Suite 1850 Los Angeles, CA 90071	Murray O. Kane	(213) 617-0480	<a href="mailto:mkane@kbbllaw.com">mkane@kbbllaw.com</a>	(213) 625-0931
Pierce Law Firm	1440 N. Harbor Blvd., Suite 900 Fullerton, CA 92835	Bradley D. Pierce, Esq.	(714) 449-3333	<a href="mailto:BPierce@piercefir.com">BPierce@piercefir.com</a>	(714) 449-3337
Green, de Bortnowsky & Quintanilla, LLP	23801 Calabasas Rd., Suite 1015 Calabasas, CA 91302-1595	Charles R. Green	(818) 704-0195	<a href="mailto:cgreen@godqlaw.com">cgreen@godqlaw.com</a>	(818) 704-4729
Renne Sloan Holtzman Sakai	350 Sansome St., Suite 300, San Francisco, CA 94104		(415) 678-3800	<a href="mailto:info@publiclawgroup.com">info@publiclawgroup.com</a>	(415) 678-3838
Stein & Lubin LLP	The Transamerican Pyramid 600 Montgomery Street, 14th Floor San Francisco, CA 94111	Laurie N. Gustafson Paula Crow	(415) 981-0550	<a href="mailto:lgustafson@steinlubin.com">lgustafson@steinlubin.com</a> <a href="mailto:pcrow@steinlubin.com">pcrow@steinlubin.com</a>	(415) 981-4343
Robert Herick	13052 Gershwin Way Valley, Ca 92555	Robert Herick	(951) 807-1711		
Lewis Brishois Bisgaard & Smith LLP	650 E. Hospitality Lane, Suite 600 San Bernardino, CA 92408	Elizabeth Martyn	(909) 386-3039	<a href="mailto:martyn@LBBSLaw.com">martyn@LBBSLaw.com</a>	
Gresham Savage	San Bernardino Office	Kevin Randolph	(909) 890-4499	<a href="mailto:kevin.randolph@greshamsavage.com">kevin.randolph@greshamsavage.com</a>	
Meyers Nave	633 W. 5th Street, Suite 1700 Los Angeles, CA 90071	Deborah J. Fox, Principal Shannon Daggett, Marketing	(213) 626-2906	<a href="mailto:dfox@meyersnave.com">dfox@meyersnave.com</a> <a href="mailto:sdaggett@meyersnave.com">sdaggett@meyersnave.com</a>	(213) 626-0215

*[Note: Highlighted firms show those that submitted Proposals]*

### Oversight Board Legal Services Evaluation Form

Law Firm	Contact	Experience	Specialized Law Experience	Hourly Rate of Attorneys and Support Staff	Administrative Fee (i.e. mileage, copies etc.)	References	Rank	Comments
Colantuono & Levin, PC 300 So. Grand Avenue, Ste 2700 Angeles, CA 90071-3137	Los Teresa L. Highsmith	Municipal Law Teresa L. Highsmith - over 20 years of municipal law experience Scott Howard - over 30 years of municipal law experience	Redevelopment and disincorporation, Brown Act, conflicts of interest, public financing and revenues, housing CEQA, land use, litigation	Attorneys \$225/hour, not to exceed cap of \$3,000/month for all legal fees (except litigation). Litigation: \$300/hour	Travel time \$0	City of Barstow - Oliver Chi, Asst to CM 760-255-5101 City of Sierra Madre - Elaine Aguilar, City Manager 626-355-2917		
Green, de Borthousky & Quintanilla, LLP 22801 Calabasas Rd., Suite 1015 Calabasas, CA 91302-1595	Charles R. Green	Charles Green- 25 years of municipal law Jennifer A. Mizrahi - 9 years of experience	municipal law, redevelopment and AB X126 compliance, land and use planning, real estate, affordable housing, public financing, revenue taxation	First 30 hrs - \$110/hour - \$3,300 monthly retainer paid in advance of the month; Rate after the first 30 hrs is: Sr. Atty - \$195 Jr. Atty - \$175 Paralegals \$150	Mileage: as permitted by the IRS Document reproduction: \$0.25 per page Faxes: \$1.00 per page	City of Victorville Douglas Robertson, City Manager 760-955-5029 Cathedral City Donald Bradley, City Manager 760-770-0372 City of Rancho Mirage Randal Byrnder, City Manager 760-324-4511		
Renne Sloan Holtzman Sakai 350 Sansome St., Suite 300 San Francisco, CA 94104	Renne Sloan	David Kahn - Over 30 years of public agency experience. Currently represents three Oversight Boards	Municipal Law, land use and redevelopment, AB x1 26, affordable housing, real property, litigation, CEQA	Kahn - \$285/hour Associate Attys: \$205-285/hour Paralegals \$95-125/hour Retainer of \$4,000/month for up to 15 hrs	Travel time fee: \$285/hr	City of Sunvale Gary Luebbers, City Manager 408-730-7242 County of Santa Clara John Guibrio, RDA consultant 408-615-2220		

**Request for Qualifications (RFQ)  
For Legal Services  
for the Oversight Board to the Successor Agency  
to the former Redevelopment Agency of the City of Huntington Park**

Under the AB X1 26 (Chapter 5, Statutes of 2011), an Oversight Board ("Board") was established to oversee the actions of the Successor Agency for the dissolved Redevelopment Agency of the City of Huntington Park. The Board is seeking the services of a professional law firm or an experienced sole practitioner to serve as Legal Counsel to the Board to provide oversight of Board operations, lending practices for development projects and other corporation services and activities.

The term of the engagement would be for Fiscal Year 2012-2013, and the contract may be extended from year to year until the Board completes its work and is dissolved or is merged with the other oversight boards in Los Angeles County in 2016, as required under AB X1 26. Either party could terminate the engagement with forty-five (45) days prior written notice.

Interested firms or individuals should be versed in California Redevelopment Law and AB X1 26, and have experience advising public bodies on the Brown Act, Political Reform Act and the Public Records Act. The firm or individual should also have experience with public contracting, public finance (bonds), and redevelopment-funded development projects and activities, as well as experience with real estate transactions including financing and disposition of properties.

The selected Legal Counsel would advise the Board and would be expected to work closely with counsel from the various taxing entities with appointments to the Board or who receive property tax revenues. Due to conflicts of interest, the Legal Counsel and its firm could not be in an adversary position with the agencies that appointed the Oversight Board members, nor could it represent private developers under existing contracts with the prior dissolved Redevelopment Agency of the City of Huntington Park for redevelopment projects which have not yet been completed.

The Board Rules of Procedure provide that the Legal counsel may not be employed by: (i) the Huntington Park Successor Agency; (ii) any of the entities with appointments to the Board; (iii) any of the affected taxing entities which may receive funding pursuant to AB X1 26. Any law firm or individual currently under contract with the agencies that appointed the Oversight Board members and the other taxing entities may apply, but it is desirable that the Legal Counsel be independent from such agencies. For firms or individuals that represent agencies in litigation matters only, it is anticipated that the applicable entity would provide an express waiver of any conflict to allow the Oversight Board to select such firm or individual.

The Oversight Board members are as follows:

1. Elba Guerrero, Vice Mayor of the City of Huntington Park, appointed by Mayor of City of Huntington Park (Chair)
2. Yolanda Duarte, appointed by Consolidated Fire Protection District (Vice-Chair)
3. Teresa Villegas, Senior Legislative Deputy, appointed by the LA County
4. Albert Fontanez, Senior Planner, appointed by Mayor of Huntington Park
5. Eduardo Adame, Caseworker/Field Assistance, appointed by the LA County
6. Luis Buendia, Interim Controller, appointed by the Los Angeles Unified School District
7. Richard Verches, appointed by the Chancellor California Community College

Scope of Services:

The scope of services of the Legal Counsel would include, on an as needed basis, but is not limited to the following:

- Advise the Board on legal authority and liability for actions taken in the ordinary course of business
- Provide general and specialized legal representation
- Advise the Board on actions necessary to protect the Board members from personal liability and protect the assets of the dissolved agency from liability and attachment
- Review and advise the Board on the recommendations from City/Successor Agency staff regarding contracting issues
- Review and advise the Board on recommendations from City/Successor Agency on refinancing matters, overseeing completion of redevelopment projects, and disposition of property and other assets
- Provide advice on legislative matters which may affect the Board (exclusive of lobbying)
- Represent the Board in connection with any inquiry, investigation, audit or other proceedings of state regulatory agencies
- Represent the Board in any litigation brought by or against or otherwise involving the Board, or assist the Board in contracting for specialized litigation counsel and overseeing outside counsel's work.
- Attend Oversight Board meetings, as requested.
- Engage in any other legal matter reasonably requested by the Board

Experience and Qualifications:

The Legal Counsel should have knowledge and experience in the following areas of law: California Redevelopment Law, AB X1 26, Brown Act, Political Reform Act, Public Records Act, contracts, property development and disposition, contaminated soil remediation and bond financing and lending. Knowledge and experience in the other areas of public law would also be desirable and may be considered.

Submittal Content:

1. The Proposal shall not exceed 3 pages plus a one-page cover letter. The cover letter shall identify the name and contact information of the proposed lead attorney and a statement that the person signing the letter is authorized to commit the firm.
2. Description of the qualifications and experience of the proposed lead attorney and any associate(s) to be assigned to work for the Board in the areas of law listed above.
3. Three client references: name and contact information of the client and description of work.
4. List of current hourly rates for each attorney and support staff proposed to be assigned to work for the Board. Also please provide an alternative compensation structure that would provide for monthly "not to exceed amount".

Submittal Procedures:

Please submit your proposal no later than -----, 2012 by 12:00 P.M. Noon by email to:

Macosta@huntingtonpark.org and by hard copy to:

Jack L. Wong  
Interim Community Development Director  
City of Huntington Park  
Successor Agency  
6550 Miles Avenue  
Huntington Park, CA 90255

The Board reserves the right to reject any and all submittals and to waive minor inconsistencies. The cost of preparing responses to the Request for Qualification shall be done by the respondents and will not be reimbursed by the Board.

Teresa L. Highsmith  
THighsmith@CLLAW.US  
(213) 542-5703

Colantuono & Levin, PC  
300 So. Grand Avenue, Ste. 2700  
Los Angeles, CA 90071-3137  
Main: (213) 542-5700  
FAX: (213) 542-5710  
WWW.CLLAW.US

June 20, 2012

**VIA E-MAIL:** Macosta@huntingtonpark.org

Manuel Acosta,  
Housing and Community  
Development Manager  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Re: **Proposal to Provide General Counsel Services to Oversight Board to  
Huntington Park former RDA Successor Agency**

Dear Mr. Acosta:

I write to propose our firm's services as General Counsel to the Oversight Board to the Huntington Park former RDA Successor Agency. We have kept our proposal very brief, as requested by your Request for Qualifications, which was mailed to us on June 12, 2012. I have actually included the rate and scope of service information within this letter. Additional information about our firm, including a firm profile and bios of all our attorneys, appears on our web site at: <http://www.cllaw.us>. I also enclose my resume as proposed General Counsel, the resume of Scott Howard, who we propose as Assistant General Counsel to the Oversight Board, as needed, and three client references as requested.

**Rates:** Although our standard hourly rates range from \$175 to \$425 per hour for attorneys and from \$110 to \$145 per hour for paralegals, we will agree to provide general services to the Oversight Board at a blended hourly rate for the services of any of our attorneys of \$225. We understand that you anticipate a need for General Counsel to attend Oversight Board meetings when scheduled and provide general legal advice to the members of the Oversight Board, which we would anticipate would normally require fewer than 10 hours per month. As you have also requested a "not to exceed" alternative compensation structure, we propose a combination of \$225/hour with a "not to exceed" cap of \$3,000/month for all legal services, except litigation. We would not charge you for any travel time to and from meetings. For litigation services, we are willing to cap our standard rates at \$300 per hour.



**Experience:** Colantuono & Levin, PC is a municipal law firm with offices in Los Angeles and outside Grass Valley in the Sierra Foothills and one of California's leading advisors to cities, counties and special districts. We represent public clients throughout California in all aspects of municipal law, including redevelopment and its dissolution process, the Brown Act, election law, conflicts of interest law, matters arising under the Public Records Act, public financing and revenues, housing, the California Environmental Quality Act, land use, and associated litigation. The firm prides itself on its extensive public law experience, its commitment to problem-solving, and a focus on ethical, affirmative and intelligent advice and representation. Our core commitment is to provide advice our clients find both helpful and understandable.

**Team:** I propose to serve as General Counsel to the Oversight Board to the Huntington Park former RDA Successor Agency, with assistance, as needed from Scott Howard. I have extensive experience in advising public agency clients regarding compliance with the Brown Act, Political Reform Act, Public Records Act, and Community Redevelopment Law; I am well versed in the interpretation and application of the dissolution process set forth in AB 1X 26 ("the Legislation"), regarding the obligations and authority of both Successor Agencies and Oversight Boards, and I keep up to date on the developments in the interpretation and implementation and proposed amendments to the Legislation. I presently advise several Successor Agencies regarding the dissolution process, and have prepared agendas, staff reports, Conflict of Interest Codes and orientations for their initial Oversight Board meetings. The firm also provides special counsel services to counties and has represented a variety of special districts as general and special counsel. All these experiences will be helpful in our advice to the Oversight Board, which has approval authority over various actions of the Huntington Park former RDA Successor Agency during the wind-down process and serves to protect the interests of the county, schools, and special districts in the winding down of Agency activity.

**Scope of Services:** Regarding the scope of services you anticipate needing, I am able to advise the Oversight Board on the specific Successor Agency actions that require prior Oversight Board approval (pursuant to Health & Safety Code Section 34180), including: any proposed amendments to existing contracts to facilitate the completion of redevelopment projects and disposition of property; advise on whether the various line items on Recognized Obligation Payment Schedules (ROPS) are "enforceable obligations" such that the ROPS may be approved by the Oversight Board; advise and represent the Oversight Board regarding any inquiries on any Oversight Board action from the Department of Finance or other state agency; advise on financing matters requested by a Successor Agency (such as requests to approve refinancing bonds or amending a Disposition and Development Agreement). Additionally, I can provide legal advice regarding the authority of the Oversight Board to order the termination of existing contracts (should the Oversight Board determine that such termination is in the best interest of the taxing entities) and whether real properties held by the Successor Agency are required to be sold, pursuant to the Oversight Board's authority under Health & Safety Code Section 34181.

Currently the Legislation provides Oversight Board members personal immunity from suit for any actions taken while serving on the Oversight Board within the course and scope of

Manuel Acosta  
Housing and Community Development Manager  
June 20, 2012  
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their responsibilities; additionally, the Department of Finance has proposed language amendments to the Legislation which include, among other things, eliminating the ability for Oversight Boards to sue or be sued. In the unlikely event that the Oversight Board should become a party to litigation, the firm of Colantuono & Levin has a proven litigation track record and can provide you with litigation legal services.

We would be very pleased to represent the Oversight Board. Thank you for the opportunity to propose our services. Please let me know if additional references or any other additional information would be helpful.

Very truly yours,

A handwritten signature in cursive script, reading "Teresa L. Highsmith".

Teresa L. Highsmith

TLH:tlh  
Enclosures (2): Highsmith & Howard Resumes

cc: Scott Howard

## TERESA L. HIGHSMITH

Colantuono & Levin, P.C.  
300 So. Grand Ave., Ste. 2700  
Los Angeles, CA 90071-3137  
Telephone: (215) 542-5703  
Cell: (213) 399-9292  
THighsmith@CLLAW.US

### Current Employment

Senior Counsel, Colantuono & Levin, PC  
Municipal advisory team;

- o City Attorney, City of Barstow
- o City Attorney, City of Sierra Madre
- o General Counsel to former Barstow Redevelopment Agency and its Successor Agency
- o General Counsel to former Sierra Madre Community Redevelopment Agency and its Successor Agency
- o General Counsel to the South East Los Angeles County Work Force Investment Board ("SELACO")
- o General Counsel to SELACO Policy Board
- o General Counsel to West-Comm JPA
- o Assistant City Attorney, City of Los Alamitos

### Legal Qualifications and Experience

**General Services** – Representing cities and city councils, redevelopment agencies and their post-AB 1X 26 Successor agencies, local reuse authorities, housing authorities, joint powers authorities and special districts at regular and special meetings; providing written and oral legal opinions and research on local government issues including zoning, land use, redevelopment, affordable housing, labor and employment issues, public bidding requirements, California Environment Quality Act (CEQA), Subdivision Map Act, Brown Act, Public Records Act, Conflict of Interest and code enforcement.

**Redevelopment** – Direct legal assistance on award winning redevelopment projects: *Historic Alameda Theatre Rehabilitation Project*, CRA Award of Excellence 2009; *Bridgeside Shopping Center*, CRA Award of Excellence 2008; legal assistance to Successor Agencies in all aspects of the dissolution process of AB 1X 26.

**Contracts** – Drafting and negotiating lease, loan and real property agreements; redevelopment agreements (Disposition and Development Agreements, Owner Participation Agreements, Pre-development Agreements); public works contracts; various land use agreements; various consultant agreements; labor and employment contracts and MOU's.

**Ordinances** – Drafting city land use, zoning and health and safety ordinances, resolutions and policies.

**Litigation** – Litigation background at both trial and appellate levels on a variety of issues and claims, including mandate actions challenging legislative and administrative acts, land use, personnel, Public Records Act, redevelopment, public works and construction contracts, and constitutional claims. Published cases: *Suter v. City of Lafayette* (1997) 57 CA4th 1109; *City of Livermore v. PG&E* (1997) 51 CA4th 1410; *City of Lafayette v. East Bay Municipal Utility District* (1993) 16 CA4th 1005.

### **Previous Employment**

- |           |   |
|-----------|---|
| 2006-2011 | City Attorney of Alameda; General Counsel to Community Improvement Commission (Alameda Redevelopment Authority), Alameda Reuse and Redevelopment Authority (local reuse authority for former Naval Air Station, Alameda) and Housing Authority of City of Alameda |
| 1997-2006 | Assistant City Attorney of Alameda; Assistant General Counsel to Community Improvement Commission, Alameda Reuse and Redevelopment Authority and Housing Authority of City of Alameda   |
| 1992-1997 | Assistant City Attorney to cities of Orinda, Lafayette and Bethel Island Municipal Improvement District; Special Counsel at various times to cities of Fremont and Livermore, through Law Offices of Charles J. Williams (as a contract attorney)                 |
| 1991-1992 | Deputy City Attorney to cities of Orinda, Lafayette, Moraga and Pittsburg, employed by the Law Offices of Charles J. Williams   |

### **Bar Admissions**

- |      |  |
|------|--|
| 1991 | California Supreme Court<br>U.S. District Court, Northern District of California<br>U.S. District Court of Appeals, Ninth Circuit<br>Member of American Bar Association, State Bar of California |
|------|--|

### **Education**

- |      |   |
|------|---|
| 1991 | J.D., with honors, John F. Kennedy University<br>Editor, <i>John F. Kennedy University Law Review</i> 1989-1991 |
| 1977 | B.A., with honors, University of Nevada, Reno   |

## **SCOTT H. HOWARD**

1267 Norwich Lane, Ventura, California 93001  
(818) 618-8877 ~ (805) 653-0844

### **SUMMARY OF EXPERIENCE:**

Over thirty-four (34) years of experience with the City of Glendale City Attorney's Office, performing professional legal work, including supervision and prosecution of all Municipal Code violations; research, drafting, trials and hearings in all phases of civil and administrative proceedings, including eminent domain; advise and consult with City Departments, Commissions, City Council, Housing Authority and Redevelopment Agency on a wide variety of municipal issues; draft, review and approve contracts, resolutions and ordinances, provide training to elected and appointed officials on various subjects including AB 1234 ethics.

### **WORK HISTORY:**

**Jan. 2012 to Present:** Of Counsel Colantuono & Levin. Provide city attorney advisory services to City of Calabasas

#### ***1990 -- Sept 2011: City Attorney, City of Glendale, California***

Supervise and direct the Legal Department. The Department consists of fourteen lawyers, one paralegal, and six secretaries, and has an annual budget of \$4 million dollars. The office provides a full range of legal services to City governmental departments including advice, litigation, code enforcement, drafting and approval of all ordinances, resolutions and contracts. Responsibilities include: advising all Municipal Commissions, the City Council, Housing Authority, Redevelopment Agency, and Department Heads regarding all issues of concern to a large municipality including, but not limited to, issues involving the Brown Act, conflicts of interest, environmental laws, land use, law enforcement, public service, and waste management. Research and prepare contracts, opinions, resolutions and ordinances for City Council consideration. Provide training on various subjects.

#### ***1981-1990: Senior Assistant City Attorney, City of Glendale, California***

Supervise and direct the prosecution of all Municipal Code violations. Handle a wide variety of civil litigation in both State and Federal Courts, including eminent domain, tort actions, civil rights, land use, and employee-related litigation for the third largest city in Los Angeles County. Appear before the Court of Appeals on a number of occasions. Represent the City in administrative proceedings.

#### ***1979-1981: Assistant City Attorney, City of Glendale, California***

Supervise the prosecution of all Municipal Code violations. Handle a variety of civil litigation in both Municipal and Superior Courts. Advise and render opinions to Department Heads, Commissions and City Council. Research and draft opinions, contracts and ordinances.

#### ***1977-1979: Deputy City Attorney, City of Glendale, California***

Prosecute against Municipal Code violations. Defend the City in a variety of civil litigation matters. Research and draft legal opinions. Advise Department Heads. Draft and approve contracts and ordinances.

***1975 - 1977: Legal Intern, Los Angeles District Attorney***

Research and draft motions and oppositions thereto in criminal matters. Engage in jury and court trials of misdemeanor cases.

**EDUCATION:**

2006	Completed Josephson Institute of Ethics - Living up to the Public Trust
1989	Graduate, F.B.I. National Law Institute, 7th Session (50 attorneys chosen nationwide annually)
1977 - Present	Approximately 1,000 hours of seminars in general and municipal-related legal subjects.
1976	Juris Doctor Degree from Southwestern University School of Law
1973	Bachelor of Science Degree in Business Administration from University of Southern California

**PROFESSIONAL CREDENTIALS AND AFFILIATIONS:**

2011	Recipient - William I. Thornton Jr. IMLA Faculty Award by the International Municipal Lawyers Association
2010	Designated a Municipal Law Fellow by the International Municipal Lawyers Association
2008, 2006, & 2005	Named a Super Lawyer Government/Cities - Municipal Law
2006 - 2011	Regional Vice President, 9 <sup>th</sup> Circuit, International Municipal Lawyers Association  Martindale-Hubbell Designated AV Rating  Listed in Who's Who in California, 16 <sup>th</sup> Edition
2000 - 2006	State Chair, International Municipal Lawyers Association

1995	President, City Attorneys Association, Los Angeles County
1994	President, Glendale Bar Association
1993 - 1995	Los Angeles County Representative, League of California Cities Legal Advocacy Committee
1993 - 1995	Secretary/Vice President, Los Angeles County City Attorneys Association
1987 - 1994	Trustee, Glendale Bar Association Board of Trustees
1985 - Present	Member, Los Angeles County Bar Association
1981	Chairman of Subcommittee on Regulation--Ordinances and Administrative Regulations Concerning Police Powers of a City or Town, American Bar Association
1977 - 1990	Member, Criminal Justice Council, Glendale
1978 - Present	Member, Glendale Bar Association
1977 - Present	Member, American Bar Association
1976 - Present	Member, State Bar of California

Admitted to practice before all California State Courts; United States District Court, Central District; United States Claims Court; United States Court of Appeals for the Ninth Circuit; United States Supreme Court.

**PROFESSIONAL ACCOMPLISHMENTS:**

Advocated before the State Court of Appeal, State Supreme Court, and Ninth Circuit Court of Appeals. Developed and obtained precedent setting Court decisions in the area of municipal taxation and licensing, state preemption, the Constitutional limitations on the use of municipal streets for news publications, the rights of public agencies regarding police officers' medical retirements and firearm use; litigated and resolved open space/acquisition and civil rights cases.

Drafted numerous Ordinances, some used as a model by many cities and towns nationwide.

Restructured Glendale City Attorney's Office to increase efficiency and productivity in a cost effective manner.

**PUBLICATIONS AND SPEAKING ENGAGEMENTS:**

2011	International Municipal Lawyer's Association: <u>The Municipal Lawyer Magazine</u> , March/April 2011, Vol. 52, No.2; "Street Side Employment Solicitation Regulations - Are They On Life Support?"
2009	Guest Lecturer U.S.C. Masters of Real Estate Development Program- "Findings, Takings & Exactions; An Overview"
2008	Panelist and presenter at Cities on the Cutting Edge Program-Hastings College of Law - "Local Responses to Immigration Issues"
2007 - Present	Presentations on Firefighters Procedural Bill of Rights Act to League of California Cities, various fire departments in California, and City Attorneys Association of Los Angeles County
2005 - Present	Presentations on issues involving day laborer regulations to League of California Cities, International Municipal Lawyers Association, New Mexico Municipal League, and City Attorneys Association of Los Angeles County
1995 - Present	Conducted various training courses through in-house "Glendale University" including Open Meeting Laws; Ethics for Public Employees, Conflicts of Interest
1995 - Present	Conducted training for elected and appointed officials on various subjects including A.B.1234 Ethics, Open Meeting Laws, Conflicts of Interest, Public Hearings and Procedural Due Process
1990 - 2006	Annual lecturer for National Recreation and Parks Association. Present a 22 hour class; including written materials on "Managing Safety and Liability" with current case updates
1985 - 1986	Lecturer for California Conference of Arson Investigators. Subjects include Peace Officer Liability, Punitive Damages, Presentation of Testimony, Elements of Tort and other Liability in State and Federal Courts
1984 - Present	Annual Lecturer for California Parks and Recreation Society Inc., as well as Regional Seminars. Subjects include Municipal Liability, Employee Liability, Risk Management
1982 - Present	Numerous speeches and lectures before community groups including: Women's Civic League of Glendale, local Kiwanis Clubs and others regarding "The Prosecutorial Function of the City Attorney's Office," "Municipal Liability," and "Campaign Financing Issues in Local Elections"
1979	Lecturer, National Association of Consulting Arborists Annual Meeting, Newport Beach, California



1978

National Institute of Municipal Law Officers: *The Municipal Attorney*,  
Volume 19, No. 11, November, 1978; "Successful Defense of the Glendale  
Newsrack Ordinance"

**OTHER ACTIVITIES:**

Member, Glendale Committee to Celebrate the Bicentennial of the United States Constitution.

Member, Education Advisory Committee, Legal Secretarial; Glendale Community College District.

1987-1990            Member, Board of Directors, Glendale Family Service Association (a United Way Agency).

1982-1987            Sit as Judge Pro-tem in Glendale Municipal Court numerous times yearly.

1988-1989            Member, Kiwanis International, Glendale; Past Chairman, Law and Regulations Committee, 1988-1989.

1998-2005            Volunteer Settlement Officer for Superior Court, North Central District

1987-1996            Member, Glendale Chamber of Commerce.

*Personal, judicial, and professional references available upon request.*

**References for Teresa L. Highsmith**

Curt Mitchell, City Manager  
Oliver Chi, Assistant to the City Manager  
City of Barstow  
Telephone: 760-255-5101/5102  
[cmithcell@barstowca.org](mailto:cmithcell@barstowca.org)  
[ochi@barstowca.org](mailto:ochi@barstowca.org)

Mayor Pro Tem Julie Hackbarth-McIntyre  
City of Barstow  
(760) 964-6178 (mobile)  
[jmcintyre@barstowca.org](mailto:jmcintyre@barstowca.org)

I am City Attorney for the City of Barstow, including its capacity as Successor Agency to the former Redevelopment Agency of the City of Barstow. Accordingly, I provide the full range of legal advice and services on all matters of interest to the City of Barstow and attend all City Council meetings. I review and assist in the preparation of all agendas for the Oversight Board to the former Redevelopment Agency of the City of Barstow.

Elaine Aguilar, City Manager  
City of Sierra Madre  
Telephone: (626) 355-2917  
[eaguilar@cityofsierramadre.com](mailto:eaguilar@cityofsierramadre.com)

Karin Schnaider, Finance Director  
City of Sierra Madre  
Sierra Madre Oversight Board Member  
Telephone: (626) 355-7136  
[kschnaider@cityofsierramadre.com](mailto:kschnaider@cityofsierramadre.com)

I am City Attorney for the City of Sierra Madre, including its capacity as Successor Agency to the former Community Redevelopment Agency ("CRA") of the City of Sierra Madre. Accordingly, I provide the full range of legal advice and services on all matters of interest to the City of Sierra Madre and attend all City Council meetings. I review and assist in the preparation of all agendas for the Oversight Board to the former CRA of the City of Sierra Madre. I also attend meetings of the Oversight Board as a resource, when requested by staff for the Successor Agency of the former CRA of Sierra Madre.

23801 Calabasas Road  
Suite 1015  
Calabasas, CA 91302  
818.704.0195  
Fax 818.704.4729



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Attorneys at Law  
www.gdqlaw.com

41750 Rancho Las Palmas Drive  
Suite P-1  
Rancho Mirage, CA 92270  
760.770.0873  
Fax 760.770.1724  
Direct E-mail Address:  
cgreen@gdqlaw.com

Reply to:  
Calabasas Office

June 19, 2012

VIA ELECTRONIC & US MAIL  
macosta@huntingtonpark.org

City of Huntington Park Successor Agency  
6550 Miles Avenue  
Huntington Park, CA 90255  
Attn: Jack L. Wong, Interim Community Development Director

*Proposal to Provide Oversight Board Legal Counsel Services*

Dear Mr. Wong:

We are pleased to respond to your letter of June 12 requesting that Green, de Bortnowsky and Quintanilla, LLP (the "Firm", Federal Tax Identification No. 95-4774552) submit its qualifications in the attached proposal to provide Oversight Board Legal Counsel services. The Firm was established in 1980 and exclusively practices municipal law. As described more fully in the attached proposal, the Firm has two offices with the main office located in Calabasas. The Firm currently serves as the City Attorney for the cities of Victorville, Rancho Mirage, and Cathedral City. In addition, we serve as Special Counsel and General Counsel for numerous other public agencies, including but not limited to several redevelopment successor agencies and special districts. Our public agency clients rely on our attorneys to provide timely and judicious advice concerning a wide range of issues such as land use, planning, zoning, affordable housing, mobilehome parks, code enforcement, risk management, redevelopment and ABx1 26 compliance, general plans, personnel, real estate, public employment, and public financing. We prepare well-researched, concisely written ordinances, resolutions, public policies and "user friendly" legal opinions. We also prepare and negotiate contracts and other legal instruments. The Firm offers local public officials training workshops regarding the Ralph M. Brown Act, the Public Records Act, the Political Reform Act, the California Environmental Quality Act, the Mobilehome Parks Act and the many complex laws and regulations governing land use planning and development.

The Firm's extensive knowledge of municipal law, particularly with respect to redevelopment and ABx1 26 compliance, its varied experience in representing a diverse array of agencies and its uncompromising commitment to provide timely advice, quality service and cost efficient legal representation make it uniquely qualified to serve as contract legal counsel to the Oversight Board to the Successor Agency to the former Redevelopment Agency of the City of Huntington Park.

As a principal, I am authorized to commit the Firm and I appreciate your time and consideration of this proposal. As the Firm's point of contact, I would be happy to provide additional information regarding our qualifications and answer any questions you or your fellow officials may have with respect to our services.

GREEN de BORTNOWSKY & QUINTANILLA, LLP  
a Limited Liability Partnership

A handwritten signature in dark ink, appearing to read 'CRG', written over a horizontal line.

Charles R. Green

CRG:law  
enc

**PROPOSAL TO PROVIDE LEGAL COUNSEL SERVICES**  
**TO THE**  
**OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY**  
**OF THE CITY OF HUNTINGTON PARK**

**PRESENTED BY:**



**Green, de Bortnowsky & Quintanilla, LLP**  
**gdqlaw.com**

**Contact Person:**  
**Charles R. Green, Esq.**  
**cgreen@gdqlaw.com**

<b>Los Angeles Area Office</b> <b>23801 Calabasas Road, Suite 1015</b> <b>Calabasas, California 91302</b> <b>(818) 704 – 0195 (tel)</b> <b>(818) 704-4729 (fax)</b>	<b>Coachella Valley Office</b> <b>41750 Rancho Las Palmas Dr., Suite P-1</b> <b>Rancho Mirage, CA 92270</b> <b>(760) 770 – 0873 (tel)</b> <b>(760) 770-1724 (fax)</b>
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## **A. EXECUTIVE SUMMARY**

Green, de Bortnowsky & Quintanilla, LLP (the "Firm") is pleased to submit this proposal in response to the Oversight Board for the Successor Agency of the City of Huntington Park's Request for Proposals for Legal Counsel Services. The Firm has offices in the cities of Calabasas and Rancho Mirage and practices exclusively in public agency law and its related areas. The Firm currently serves as City Attorney, Redevelopment Counsel and City Prosecutor for the cities of Victorville, Rancho Mirage, and Cathedral City; General Counsel for the Successor Agencies to the Redevelopment Agencies of Victorville, Rancho Mirage and Cathedral City; Special Counsel to the Successor Agencies to the Redevelopment Agencies of Brentwood, and Redwood City; General Counsel for the Victorville Water District, Coachella Valley Mosquito and Vector Control District, Palm Springs Cemetery District, Southern California Logistics Airport Authority, Southern Coachella Valley Community Services District, Victor Valley Economic Development Authority, Palm Springs Desert Resorts Convention and Visitors Authority and the Orange County Cemetery District.

By concentrating solely on providing quality service to public agencies, the Firm's attorneys have developed expertise in all aspects of municipal law, redevelopment law and related practice areas. The Firm's areas of expertise include land use and planning, redevelopment and ABx1 26 compliance, real estate services, affordable housing, mobilehome parks, employment, public financing, revenue and taxation, telecommunications and franchising, public works contracts, municipal utilities and municipal solid waste. The Firm also provides litigation services to its clients, primarily in areas of concern to public entities, such as land use, environmental issues, code enforcement, gang injunctions, condemnation, and the regulation of medical marijuana dispensaries.

In connection with this Proposal, we propose that Charles R. Green serve as General Legal Counsel and Jennifer Mizrahi serve as Assistant General Legal Counsel. All required background information regarding Mr. Green and Ms. Mizrahi is included herewith. For further information about our firm, please see the Supplemental Firm Qualifications, included under separate cover.

## **B. PROPOSED ATTORNEYS**

### **Charles R. Green**

Mr. Green has been with the Firm since 1987. In the twenty-five years since joining the Firm, Mr. Green's practice has been devoted to the representation of cities, redevelopment agencies, joint powers authorities, and other public entities. Mr. Green graduated from UCLA in 1972 with an undergraduate degree in Political Science, and from the UCLA School of Law in 1975 with a J.D. He was admitted to the State Bar of California in 1976.

During his tenure with the Firm, Mr. Green has developed an expertise in redevelopment law. He has been involved in a variety of matters, including serving as Redevelopment Agency Counsel to the Redevelopment Agencies of The City of Cathedral City and as General Counsel for the Victor Valley Economic Development Agency beginning in 1991. He has performed redevelopment services for the Redevelopment Agencies of the Cities of San Bernardino and Colton from 1987 through 2000, Mammoth Lakes in 1997, Redwood City and the City of Brentwood from 2003 through the present. In particular, Mr. Green successfully defended over 20 different actions filed in connection with the reuse of the former George Air Force Base, including several challenges to the EIR and a number of validation actions challenging the redevelopment actions of the joint powers authority.

In addition to redevelopment, Mr. Green's accolades include serving as the City Attorney for several cities including Desert Hot Springs 1997 through 2004 and serving as the Assistant City Attorney of the City of Cathedral City since 1996 and as the City Attorney since 2001. In his service as a City Attorney and an Assistant City Attorney, Mr. Green provides representation and advice to every department of the Firm's client cities, including redevelopment, planning, public safety, public works and parks and recreation. He has extensive experience in advising elected officials in the areas of conflict of interest laws and has represented clients before the Fair Political Practices Commission. He has assisted in a number of amendments to redevelopment plans, general plans, and the creation or amendment of a number of specific plans, as well as advised clients on matters relating to subdivisions and tract maps. Mr. Green is highly experienced in the negotiation and drafting of a variety of contracts relating to local government, including disposition and development agreements, owner participation agreements, franchise agreements, construction agreements, development agreements and infrastructure agreements.

Mr. Green served as the managing partner of the Firm until 2005, and is a member of the State Bar of California (Public Law Section Membership), the American Bar Association, the Los Angeles County Bar Association, the League of California Cities City Attorney Section and the California Redevelopment Association.

**Jennifer A. Mizrahi**

Ms. Mizrahi was admitted to the State Bar of California in January 2003 and has been with the Firm since 2006. Ms. Mizrahi currently serves as Assistant City Attorney for the City of Cathedral City and Rancho Mirage, Deputy City Attorney for the City of Victorville, and as Deputy General Counsel to the Southern California Logistics Airport Authority, the Victorville Water District, and the Victor Valley Economic Development Authority. Ms. Mizrahi has extensive experience in drafting agreements, ordinances, resolutions and staff reports, as well as a particular expertise in land use and planning. She serves as Planning Commission counsel for the cities of Cathedral City and Victorville. In that role, she oversees the entitlement and subdivision process, reviews and provides advice on specific plans, general plans, and environmental compliance, and advises on issuances, modifications, and revocations of land use entitlements. Her work further includes preparation of development agreements, disposition and development agreements, owner participation agreements and overseeing preparation of specific plans, general plans, and CEQA documents.

In addition to specializing in land use, Ms. Mizrahi is well-versed in many facets of municipal law, including redevelopment, sales and local taxes, public bidding and prevailing wage, eminent domain, annexation and detachment of territory, Propositions 218 and 26, the Ralph M. Brown Act, the Public Records Act, and conflicts of interest. Of particular note, Ms. Mizrahi was a seminal figure in advising the City of Victorville in its decision to become a charter city. Ms. Mizrahi presented workshops on the benefits and consequences of adopting a charter and collaborated with the City Clerk's office in preparing the documentation needed to present the measure for voter approval.

Ms. Mizrahi also serves as a liaison between the Firm's transaction and litigation departments and supports the Firm's litigators by researching legal issues, drafting pleadings and making court appearances as needed. In this capacity, she has assisted litigators in various cases and matters related to land use, planning, permit/license revocations, breach of contract and eminent domain. Ms. Mizrahi further played a key role in negotiating pre-condemnation and post condemnation settlements pertaining to properties involved in eminent domain actions. She has had notable success working with individuals, corporations, organizations, and municipalities to effectively create resolutions while fostering positive relationships. Ms. Mizrahi has proven to be an effective negotiator in the settlement of heated property and land use disputes.

Ms. Mizrahi received her Juris Doctor from Southwestern University School of Law, and a Bachelor of Arts degree in Latin American Studies/Economics from The University of California, Santa Cruz, where she graduated with honors. While enrolled at U.C. Santa Cruz, Ms. Mizrahi attended a year abroad at The University of Madrid, Complutense, where she studied international political economy. Ms. Mizrahi speaks, reads, and writes fluently in the Spanish language.

**C. PROFESSIONAL REFERENCES**

<b>Douglas Robertson, City Manager, City of Victorville</b> <a href="mailto:d Robertson@ci.victorville.ca.us">d Robertson@ci.victorville.ca.us</a> (760) 955-5029	<b>Ryan McEachron, Mayor, City of Victorville</b> <a href="mailto:rmceachron@ci.victorville.ca.us">rmceachron@ci.victorville.ca.us</a> (760) 955-5000
<b>Donald Bradley, City Manager, City of Cathedral City</b> <a href="mailto:dbradley@cathedralcity.gov">dbradley@cathedralcity.gov</a> (760) 770-0372	<b>Randal Bynder, City Manager, City of Rancho Mirage</b> <a href="mailto:randalb@ranchomirageca.gov">randalb@ranchomirageca.gov</a> (760) 324-4511

## D. FEE SCHEDULE

### 1. COMPENSATION AND BILLING PRACTICES

The Firm proposes to provide the subject services with a fee structure that combines the elements of a retainer and an hourly fee structure. It is proposed that the Firm be paid a monthly retainer, paid in advance of the month, in the amount of \$3,300 as against the first 30 hours of time billed to the Oversight Board, resulting in an effective rate for that time of \$110.00 per hour. In order to give effect to the retainer, the Firm will credit the Oversight Board on each monthly invoice with 30 hours of time at the average of the attorney hourly rates then in effect. *Any time expended by the Firm on the Oversight Board's business above the first 30 hours will initially be billed at the following rates: Senior Attorneys \$195.00; Junior Attorneys \$175.00; Paralegals \$150.00.*

Senior attorneys are those whose experience, training and/or abilities merit, in the Firm's opinion, designation as a senior attorney. Junior attorneys are those lawyers within the Firm who have significant knowledge and ability but who have a lesser degree of experience. Senior attorneys in the Firm are Mr. Green, Mr. de Bortnowsky, Mr. Quintanilla, Ms. Mizrahi, Ms. Taguchi, and Mr. Nakashima. The Firm determines on an annual basis which attorneys receive the designation of senior attorney.

The Firm will bill the Oversight Board at these rates for all services, including basic general and special services. The Firm acknowledges the scope of work outlined in the Request for Proposals and agrees that all of the described services are within the scope of services of this proposal. The hourly rates proposed by the Firm are outlined above. The Firm has one fee structure and does not charge a higher rate for "special services."

### 2. EXPENSE REIMBURSEMENTS

The expense reimbursement policy of the Firm is as follows:

Mileage:	Charged at the rate then in effect for permitted reimbursement by the Internal Revenue Service
Document reproduction:	28 cents (\$0.28) per page
Faxes (Incoming and Outgoing):	\$1.00 per page (incoming and outgoing)

Charges from third parties relating to the Oversight Board's business will be passed through to the Oversight Board at the actual charge and without any premium. The expense reimbursement schedule is subject to the same annual review process as applies to the Firm's hourly rate structure. The Firm does not propose to charge for routine travel time (i.e. billable attorney time) between the Firm's offices and Oversight Board's offices.

## CONCLUSION

Please accept the Firm's gratitude of providing the Oversight Board for the Successor Agency of the City of Huntington Park with the highest possible level of legal services at a reasonable cost, and providing a level of responsiveness and accessibility that the Oversight Board cannot receive elsewhere. If you should have any questions with regard to the contents of this proposal, or would like any further response to the Request for Proposals, we would be pleased to respond.

Respectfully submitted,

GREEN, de BORTNOWSKY & QUINTANILLA, LLP

  
Charles R. Green



**Acosta, Manuel**

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**From:** Laura Welch [Laura@gdqlaw.com]  
**Sent:** Tuesday, June 19, 2012 2:12 PM  
**To:** Acosta, Manuel  
**Subject:** Proposal to Provide Oversight Legal Board Services  
**Attachments:** 001-Letter of Transmittal - Huntington Park.pdf; 002-Proposal to Provide OB Services.pdf; 003-Supplemental Firm Qualifications.pdf

Good afternoon, Mr. Acosta:

Per your invitation dated June 12, 2012, attached please find our firm's Proposal to Provide Legal Counsel Services to the Oversight Board for the Successor Agency of the City of Huntington Park, dated June 19, 2012.

Original to follow via US mail to the attention of Mr. Wong, per your request.

Thank you for consideration of our firm. If you have any questions or comments, or would like more information, please do not hesitate to call me.



Laura Welch Assistant to Charles R. Green

Green, de Bortnowsky & Quintanilla, LLP ("GdQ")

23801 Calabasas Road, Suite 1015

Calabasas, CA 91302

☎ (818) 704-0195 x 324

Fax: (818) 704-4729

✉ [lwelch@gdqlaw.com](mailto:lwelch@gdqlaw.com)

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Exempt from Public Disclosure

Government Code Section 6254, subd. (k)

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6/20/2012

# SUPPLEMENTAL FIRM QUALIFICATIONS



**Green, de Bortnowsky & Quintanilla, LLP**  
**gdqlaw.com**

**Contact Person:**  
**Charles R. Green, Esq.**  
**cgreen@gdqlaw.com**

<b>Los Angeles Area Office</b> <b>23801 Calabasas Road, Suite 1015</b> <b>Calabasas, California 91302</b> <b>(818) 704 – 0195 (tel)</b> <b>(818) 704-4729 (fax)</b>	<b>Coachella Valley Office</b> <b>41750 Rancho Las Palmas Dr., Suite P-1</b> <b>Rancho Mirage, CA 92270</b> <b>(760) 770 - 0873</b>
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Green, de Bortnowsky & Quintanilla, LLP (the "Firm") is pleased to submit this proposal in response to the Oversight Board for the Successor Agency of the City of Huntington Park's Request for Proposals for Legal Counsel Services. In addition to the response to the Request for Qualifications, the Firm provides additional information to The City of Huntington Park Oversight Board as follows:

## **ATTORNEYS**

### **Charles R. Green**

Mr. Green has been with the Firm since 1987. In the twenty-five years since joining the Firm, Mr. Green's practice has been devoted to the representation of cities, joint powers authorities, redevelopment agencies, and other public entities. Mr. Green graduated from UCLA in 1972 with an undergraduate degree in Political Science, and from the UCLA School of Law in 1975 with a J.D. He was admitted to the State Bar of California in 1976.

During his twenty-five years with the Firm, Mr. Green has been involved in a variety of matters, including:

- Serving as the City Attorney of the City of Desert Hot Springs from 1997 through 2004.
- Serving as the City Attorney of the City of Victorville from 2002 through 2007.

- Serving as the Assistant City Attorney of the City of Cathedral City since 1996 and as the City Attorney since 2001. In his service as a City Attorney and an Assistant City Attorney, Mr. Green provides representation and advice to every department of the Firm's client cities, including administration and the city clerk's office, planning, public safety, public works and parks and recreation. He has extensive experience in advising elected officials in the areas of conflict of interest laws and has represented clients before the Fair Political Practices Commission. He has assisted in a number of amendments to general plans, and the creation or amendment of a number of specific plans, as well as advised clients on matters relating to subdivisions and tract maps. Mr. Green is highly experienced in the negotiation and drafting of a variety of contracts relating to local government, including franchise agreements, construction agreements, development agreements, infrastructure agreements imposing obligations on developers with respect to public infrastructure, and the formation of assessment districts, community facilities districts and landscape and lighting maintenance districts.
- Serving as Redevelopment Agency Counsel to the Redevelopment Agencies of Cities of Cathedral City and Desert Hot Springs during the Firm's representation of those Cities, beginning in 1996.
- Serving, together with Mr. de Bortnowsky, as General Counsel for the Victor Valley Economic Development Agency beginning in 1991.
- Serving as City Prosecutor for the City of Calabasas from 2003 through 2007.
- Performing redevelopment services for the Redevelopment Agencies of the Cities of San Bernardino and Colton from 1987 through 2000, Mammoth Lakes in 1997, and Redwood City and the City of Brentwood from 2003 through the present.
- Serving as litigation counsel to the Firm's various clients over the years in a variety of municipally related litigation matters, including complex environmental cases, validation actions, condemnation proceedings, and general litigation relating to the powers and immunities of governmental entities. His services have included both trial and appellate work, and he has argued cases before the Second, Third and Fourth District Courts of Appeal. Mr. Green successfully defended the Environmental Impact Report ("EIR") issued in connection with the professional football stadium proposed to be constructed in the City of Irwindale in 1989, and successfully defended over 20 different actions filed in connection with the reuse of the former George Air Force Base, including several challenges to the EIR and a number of validation actions challenging the redevelopment actions of the joint powers authority.
- Providing risk management advice to municipal entities, including the oversight of outside counsel, the review of insurance coverages and contracts and the creation of risk avoidance procedures at the staff level. As a litigator, Mr. Green provides an experienced eye and sound judgment to the city Oversight Board in measuring the city's risk in various litigation matters and in reviewing settlement options and procedures.
- Representing the Firm's various clients in connection with major municipal or redevelopment projects, including the development of public facilities such as city halls, corporate yards, skate parks and other recreational facilities. These services have included assistance to the client in identifying funding sources, overseeing the public bidding process, preparing or reviewing contracts, negotiating with utility providers and a variety of related matters.
- Advising the Firm's municipal clients on a very broad range of private sector developments, including 3,000 home housing tracts, theater/entertainment complexes, major hotel and resort projects, sports stadia, industrial parks and retail commercial centers. In these projects, Mr. Green has focused on

the protection of public interests and on assisting his clients in managing and controlling growth in a manner protective of the environment and the community's quality of life. These projects have included both redevelopment and non-redevelopment projects. Mr. Green has prepared numerous complex transactional documents, including development agreements, disposition and development agreements, owner participation agreements, infrastructure agreements and a wide variety of related documents. In this context, Mr. Green has been involved in the full range of planning and entitlement issues, and has assisted in negotiations and agreements with utility providers and regional authorities overseeing flood control, waste and other matters.

Prior to joining the Firm in 1987, he worked for two different law firms practicing in commercial and real estate litigation, commercial finance, real estate transactions and equipment leasing, acquiring a substantial expertise in private sector transactions. In this context, he advised clients in real estate matters and secured transactions throughout Southern California. These services included providing advice and representation in connection with purchase and sales, financing arrangements, title concerns, hazardous waste conditions and entitlements. Mr. Green negotiated and drafted a wide range of contracts relating to commercial and real estate matters, including the complete set of documents required for the sale of a number of businesses, commercial real estate leases, corporate asset transfers and commercial finance equipment leases.

Mr. Green served as the managing partner of the Firm until 2005, and is a member of the State Bar of California (Public Law Section Membership), the American Bar Association, the Los Angeles County Bar Association, the League of California Cities City Attorney Section and the California Redevelopment Association.

#### **Jennifer A. Mizrahi**

Ms. Mizrahi was admitted to the State Bar of California in January 2003 and has been with the Firm since 2006. Ms. Mizrahi currently serves as Deputy City Attorney for the cities of Victorville and Rancho Mirage, as Assistant City Attorney for the City of Cathedral City and as Deputy General Counsel to the Southern California Logistics Airport Authority, the Victorville Water District and the Victor Valley Economic Development Authority. Ms. Mizrahi has extensive experience in drafting agreements, ordinances, resolutions and staff reports, as well as a particular expertise in land use and planning. She serves as Planning Commission counsel for the cities of Cathedral City and Victorville. In that role, she oversees the entitlement and subdivision process, reviews and provides advice on specific plans, general plans, and environmental compliance, and advises on issuances, modifications, and revocations of land use entitlements. Her work further includes preparation of development agreements, development fee ordinances, and overseeing preparation of specific plans, general plans, and CEQA documents.

In addition to specializing in land use, Ms. Mizrahi is well-versed in many facets of municipal law, including sales and local taxes, public bidding and prevailing wage, eminent domain, annexation and detachment of territory, Proposition 218 and 26, the Ralph M. Brown Act, the Public Records Act, and conflicts of interest. Of particular note, Ms. Mizrahi was a seminal figure in advising the City of Victorville in its decision to become a charter city. Ms. Mizrahi presented workshops on the benefits and consequences of adopting a charter and collaborated with the City Clerk's office in preparing the documentation needed to present the measure for voter approval.

Ms. Mizrahi also serves as a liaison between the Firm's transaction and litigation departments and supports the Firm's litigators by researching legal issues, drafting pleadings and making court appearances as needed. In this capacity, she has assisted litigators in various cases and matters related to land use, planning, permit/license revocations, breach of contract and eminent domain. Ms. Mizrahi

further played a key role in negotiating pre-condemnation and post condemnation settlements pertaining to properties involved in eminent domain actions. She has had tremendous success working with individuals, corporations, organizations, and municipalities to effectively create resolutions while fostering positive relationships. Ms. Mizrahi has proven to be an effective negotiator, often being called in as a "hired gun" to settle heated property and land use disputes.

Prior to joining the Firm, Ms. Mizrahi worked at Beltran & Medina and served as Planning Commission counsel for the City of Lynwood. While at Beltran & Medina, she researched and drafted ordinances, staff reports, and legal memoranda on various aspects of municipal law, including nuisance abatement, abatement of dangerous buildings, adoption of a transient occupancy tax, and the Subdivision Map Act. While serving the City of Lynwood, she defended the City in litigation involving torts, breach of contracts, and First Amendment claims. She also successfully advised the City in the process of abatement of a dangerous building, leading to the demolition thereof.

Ms. Mizrahi has experience in all aspects of general litigation, including pleading and motion drafting, oral argument, discovery practice, settlement negotiation, and mediation. In addition to advising on land use matters and performing litigation functions, Ms. Mizrahi conducted presentations to the City Oversight Board and Planning Commission on topics including eminent domain, the Ralph M. Brown Act, conflicts of interest, and civil forfeiture. Ms. Mizrahi also presented a continuing legal education course to the City Attorney Association of Los Angeles County on city regulation and use of civil forfeiture.

During law school, Ms. Mizrahi was admitted as a Certified Law Clerk for the Los Angeles District Attorney's Office. During her tenure there, Ms. Mizrahi honed her skills in the hearing process by preparing and arguing several preliminary hearings, in actions ranging from robbery and burglary, to controlled substance offenses and carjacking. She also prepared and argued a misdemeanor court trial, which ultimately resulted in the defendant's plea. Not only did she argue these hearings successfully, she was the first law clerk in the City of Torrance Office to be awarded the responsibility of researching and drafting complex sentencing memoranda, including a twenty-count felony domestic violence conviction memorandum.

Ms. Mizrahi received her Juris Doctor from Southwestern University School of Law, and Bachelor of Arts degree in Latin American Studies/Economics from University of California, Santa Cruz, where she graduated with honors. While enrolled at U.C. Santa Cruz, Ms. Mizrahi attended a year abroad at University of Madrid, Complutense, where she studied international political economy. Ms. Mizrahi speaks, reads, and writes fluently in the Spanish language.

Ms. Mizrahi is currently a member of the State Bar of California, the American Bar Association, the Los Angeles County Bar Association, the City Attorney Association of Los Angeles County, and the Southwestern Alumni Association. Ms. Mizrahi is admitted to practice before the all courts of the State of California, the United States District Court, District 7, and the Ninth Circuit Court of Appeals.

#### **Andre de Bortnowsky**

Mr. de Bortnowsky, presently the managing partner of the Firm, was admitted to the State Bar of California in 1985. Prior to law school, Mr. de Bortnowsky was engaged in graduate studies in Urban Planning and Land Development. He joined the Firm in 1987 and since that time has devoted his practice exclusively to municipal law, redevelopment, military base reuse, and real estate law.

Mr. de Bortnowsky currently serves as the City Attorney for the City of Victorville and general counsel to the Victorville Redevelopment Agency. Mr. de Bortnowsky is General Counsel to the

Southern California Logistics Airport Authority, the Southern California Logistics Rail Authority, and the Victor Valley Economic Development Authority. Mr. de Bortnowsky has provided consulting services to the Guam Airport Authority in connection with the conversion of Naval Air Station Agana, Guam, to a civilian aviation facility.

Mr. de Bortnowsky has had significant experience in the preparation, adoption, and amendment of redevelopment plans throughout the State of California. He has advised clients in connection with the preparation of documents necessary for the redevelopment plan adoption process and has worked closely with redevelopment agency staffs to ensure the successful adoption of a number of redevelopment plans (as well as amendments thereto), including the largest redevelopment plan in the State. He has provided advice to clients concerning the requirements of the California Environmental Quality Act in connection with the adoption and implementation of redevelopment plans and has advised clients with respect to the ramifications of both the Ralph M. Brown Act and the Political Reform Act.

Mr. de Bortnowsky has been involved in the negotiation and implementation of complex redevelopment and land use agreements, such as owner participation agreements, disposition and development agreements, exclusive right to negotiate agreements, and lease and sales transactions. Mr. de Bortnowsky has experience working with planning commissions on planning issues, has been involved in the establishment and implementation of municipal financing districts such as Mello-Roos Community Facilities Districts and Assessment Districts, and has had experience in the establishment and implementation of developer impact fee programs. He has been extensively involved in a variety of housing issues. Mr. de Bortnowsky has also been a participant in the presentation of seminars concerning relevant issues to California redevelopment agencies.

With respect to military base reuse issues, Mr. de Bortnowsky has over twenty years of experience in this arena and has developed an expertise in all facets of the reuse process. His involvement has led to extensive negotiations with both federal and state agencies with respect to issues involving property disposition, environmental issues, federal funding and regulatory compliance. As a by-product of this representation, Mr. de Bortnowsky has also been involved in the creation of municipal utilities and in the structuring of complex development transactions, including the construction and operation of a 750 megawatt power facility.

Mr. de Bortnowsky's education includes: B.A., University of California at Los Angeles, 1980; J.D., Southwestern University School of Law, 1985. Mr. de Bortnowsky is currently a member of the State Bar of California, the Los Angeles County Bar Association, the American Bar Association, the Community Redevelopment Association, the National Association of Installation Developers and the American Association of Airport Executives.

#### **Steven B. Quintanilla**

Mr. Quintanilla, a principal in the Firm, was admitted to the State Bar of California in 1992 and has been with the Firm since 1996. Mr. Quintanilla practices exclusively in the area of municipal law and its related fields, including land use and planning, real estate, environmental compliance, affordable housing and mobilehome parks, labor and employment, public financing, revenue and taxation, telecommunications and franchising, public contracts and construction, municipal solid waste, records management, code enforcement and compliance with Proposition 218, the Ralph M. Brown Act, the Public Records Act, and state conflicts of interest and ethics laws. Currently, Mr. Quintanilla serves as the City Attorney and City Prosecutor for the City of Rancho Mirage, General Counsel for the Rancho Mirage Redevelopment Agency, the Rancho Mirage Housing Authority, the Coachella Valley Mosquito and Vector Control District, the Southern Coachella Valley Community Services District, the Palm Springs Cemetery District, and the Palm Springs Desert Resorts Convention and Visitors Authority.

As the City Attorney for the City of Rancho Mirage, Mr. Quintanilla provides daily advice to City staff, attends City Oversight Board and Planning Commission meetings and public hearings, drafts and/or reviews all City resolutions and ordinances, and prepares and negotiates contracts. Mr. Quintanilla has appeared before various legislative bodies of the County representing the firm's public agency clients on issues ranging from annexation to land use and environmental matters.

Mr. Quintanilla is the author of a feature article on the historic development of the Brown Act published in "Western Cities" magazine by the League of California Cities. He has prepared several comprehensive guides suitable for use by public officials regarding state ethics laws, the Brown Act, and the Mobilehome Residency Law. Local public agencies and community organizations frequently invite him to speak on issues such as open and public meetings, disclosure of public records, government ethics, conflicts of interest, general plans, constitutional law, land use proceedings, and mobilehome park regulations. As a recognized leader in the field of code enforcement, Mr. Quintanilla is often invited to speak about a range of code enforcement issues. He has appeared before the City Attorneys Association of San Diego County where he presented "Code Compliance and Due Process," a workshop designed to educate San Diego County municipal attorneys on the importance of taking a comprehensive approach to code enforcement.

Mr. Quintanilla is also a frequent contributor to the editorial page of the Coachella Valley's Desert Sun newspaper and has prepared several commentaries for the Desert Sun on topics ranging from ethics in government to effective public participation in the local political process. The major news publications in the Coachella Valley Community, The Desert Sun Newspaper, the Public Record, the Business Press and La Prensa Hispana Newspaper, have recognized Mr. Quintanilla for his professional accomplishments and his contributions to the community.

Mr. Quintanilla's educational background includes a J.D. from the UCLA School of Law, an M.A. in Urban Planning from the UCLA School of Architecture and Urban Planning, and a B.A. in Environmental Policy from the UCLA Geography Department from which he graduated *magna cum laude* and with numerous other academic honors.

Mr. Quintanilla is a member of the State Bar of California and the Los Angeles County Bar Association and is admitted to practice before all the courts of the State of California, the United States District Court for the Central District of California and the Ninth Circuit Court of Appeals.

#### **Tara L. Taguchi**

Tara Taguchi was admitted to the State Bar of California in 2003 and joined the Firm in 2008. Ms. Taguchi practices solely in the area of municipal law. She currently serves as the Deputy City Attorney for the cities of Victorville, Rancho Mirage and Cathedral City. Ms. Taguchi provides advice to staff on a range of issues, such as land use and planning, environmental compliance, labor and employment, public contracts and construction, elections, records management, water law, and compliance with Proposition 218, the Ralph M. Brown Act, the Public Records Act, and state conflicts of interest and ethics laws. Ms. Taguchi prepares ordinances, resolutions, legal memoranda and prepares and negotiates contracts.

Prior to joining the Firm, Ms. Taguchi served as Planning Commission counsel for the City of Montebello, where she advised the Planning Commission on various land use and planning matters and provided training to local public officials regarding compliance with the Brown Act and conflicts of interest laws.

Ms. Taguchi is the author of several law review publications, including the Comment, *Whose Space Is It, Anyway?: Protecting The Public Interest In Allocating Storage Space In California's Groundwater Basins*, 32 Sw. U. L. Rev. 117 (2003). Ms. Taguchi holds a B.A. from California State University, Northridge and a J.D. from Southwestern University School of Law, where she graduated *magna cum laude* and was the recipient of the Judge Barry Russell Award for Outstanding Achievement in Federal Courts & Practice Course in 2002. Ms. Taguchi is a member of the State Bar of California and the Los Angeles County Bar Association and is admitted to practice before all the courts of the State of California, the United States District Court for the Central District of California and the Ninth Circuit Court of Appeals.

#### **Randall Nakashima**

Mr. Nakashima joined the firm in 2006 after several years of practice in Municipal Law and Insurance Defense. Upon admission to the California State Bar in 1993, Mr. Nakashima served as a Deputy City Attorney for various municipalities in Riverside and San Bernardino Counties. He has advised clients and litigated in personnel matters to include wrongful termination and discrimination claims, environmental matters involving the California Environmental Quality Act, to include Project approval procedure and risk assessment, and procedural challenges to legislation by Writ Petition and Administrative Mandamus. He also has experience in handling general governmental tort claim matters such as property damage claims, business loss and employee liability. He is particularly adept at handling municipal code enforcement matters by negotiating or leveraging early resolution of complaints by non-confrontational techniques such as mediation or alternate dispute resolution, or other means short of trial.

He has also litigated extensively in defense of both insured and self-insured entities, handling diverse matters including both legal and medical professional liability, broker liability and foster family agencies.

Mr. Nakashima is a 1976 graduate of UCLA, and received his J.D. from Loyola Law School, Los Angeles in 1993. Although practicing primarily in state court, Mr. Nakashima is equally at home in administrative hearings, private mediations and other non-judicial proceedings as prescribed by state or municipal law. Mr. Nakashima is admitted to the United States District Courts for the Central, Eastern and Southern Districts of California.

#### **Nicholas Hermesen**

Mr. Hermesen was admitted to practice law in California in 2006, shortly after joining the Firm as a law clerk. Mr. Hermesen currently serves as Assistant City Prosecutor and Deputy City Attorney for the City of Rancho Mirage and as Deputy City Prosecutor and Deputy City Attorney for the City of Cathedral City. Mr. Hermesen's primary area of practice is municipal law, with an emphasis in Code Enforcement and mobilehome parks. Mr. Hermesen is the Firm's primary associate assigned to code enforcement matters.

As an Assistant and Deputy City Prosecutor, Mr. Hermesen has successfully prosecuted numerous code violators and has assisted code enforcement staff in gaining compliance without incurring court costs. Mr. Hermesen handles all aspects of code enforcement and works on a daily basis with code enforcement and code compliance staff to ensure maximum effectiveness and efficiency.

Mr. Hermesen routinely handles administrative enforcement matters, including preparing code enforcement forms, appearing on behalf of code enforcement at administrative hearings and petitioning for injunctive and declaratory relief. Mr. Hermesen has also conducted training workshops in a variety of these matters to code enforcement staff. Mr. Hermesen routinely monitors and updates City staff on



legislation and new case law affecting code enforcement. Mr. Hermesen has drafted numerous updates to code enforcement ordinances for both Cathedral City and Rancho Mirage to ensure maximum effectiveness, flexibility, and cost efficiency.

By representing different cities, Mr. Hermesen has gained experience in prosecuting and resolving a wide array of different violations. Mr. Hermesen has obtained a blanket warrant allowing for the inspection of all swimming pools within a certain area for a mosquito and vector control district in each of the past several years. Mr. Hermesen routinely prosecutes administrative hearings, such as actions to shut down massage establishments, restaurants, and mobile food vendors when warranted; and appeal hearings regarding the conditions of residential properties brought by property owners and lien holders. Often in less egregious cases, simply receiving a letter from an attorney will prompt violators to come into compliance. When sending such letters, Mr. Hermesen is always careful to carefully document the alleged violation and explain in clear and concise language what action is needed to remedy the problem. Such letters often quickly result in compliance, especially with properties involving visual blight conditions.

Mr. Hermesen and other Firm attorneys have prepared numerous forms for use by code enforcement personnel. Most recently, Mr. Hermesen prepared forms for addressing issues on foreclosed properties, for which special fines are currently authorized under state law of up to \$1,000 per day for certain violations. Mr. Hermesen has been involved in animal control matters, and is conversant with proper administrative procedures and regulations for addressing issues such as vicious animals.

Prior to joining the Firm, Mr. Hermesen clerked for the Los Angeles County District Attorney's office, where he prosecuted cases in juvenile delinquency court. Mr. Hermesen also volunteered in a public interest law firm, assisting low income residents obtain child support and divorces. Mr. Hermesen was previously a Judicial Assistant with the Los Angeles County Superior Court. Mr. Hermesen earned a Bachelor of Arts degree in Political Science and Sociology from the University of California, Riverside, and received his Juris Doctorate from Loyola Law School, Los Angeles.

#### **Robert J. Lee**

Mr. Lee is licensed in both California (2002) and Illinois (1997). Prior to joining the Firm in 2009, Mr. Lee worked as both a corporate lawyer and as a litigator, during which time he spent several years in Chicago representing Fortune 500 companies in real estate, land use and eminent domain matters. Mr. Lee currently serves as a Deputy City Attorney for the cities of Rancho Mirage, Cathedral City, and Victorville, focusing and advising staff primarily on municipal matters concerning real estate, land use, affordable housing and public works, as well as redevelopment matters. Mr. Lee also serves as Deputy General Counsel to several special districts.

Mr. Lee's primary responsibilities have included and do include drafting real estate agreements and related documents, purchase and sale agreements, leases, owner participation agreements, joint use agreements, pre-annexation agreements, easement agreements, public contracting agreements, consultant contracts, planning and land use documents, resolutions, ordinances, and staff reports.

Specifically with regard to redevelopment matters, all of the responsibilities described above significantly enhance Mr. Lee's ability to understand and focus on the issues associated with the redevelopment dissolution legislation commonly known as ABx1 26, with which he has been intimately involved. Ranging from issues related to oversight boards, successor agencies, Recognized Obligation Payment Schedules, administrative costs, asset transfers to cash flow calculations, Mr. Lee has been advising staff on a myriad of ABx1 26 matters since the inception of the bill.

Mr. Lee earned a Bachelor of Arts degree in International Economics from the University of California at Los Angeles, and received his Juris Doctorate from Case Western Reserve University School of Law in Cleveland, Ohio. He is admitted to practice before all courts in the State of California and the United States District Court, Central District of California.

#### **Staley Prom**

Ms. Prom was admitted to the State Bar of California in January, 2012, after receiving her Juris Doctor from the UCLA School of Law in 2011. While in law school, Ms. Prom clerked for the Land Law Section of the California Office of the Attorney General and the Surfrider Foundation, and was the President of the Environmental Law Society. She joined Green, de Bortnowsky & Quintanilla in 2012 following a fellowship at the Natural Resources Defense Council in Santa Monica.

Ms. Prom works on a wide variety of general municipal law matters, as well as real estate transactions, environmental, and land use matters.

Ms. Prom graduated summa cum laude from the University of Florida in 2003, where she studied Business Administration and Broadcasting.

### **SPECIFIC AREAS OF EXPERTISE**

#### **Municipal Law**

The Firm has practiced municipal law for more than 25 years, and only represents public entities. The Firm has an acute knowledge of the legal issues affecting a city and all of the Firm's attorneys are well-experienced in advising public entities. The Firm's work includes advising the City Oversight Board, Planning Commission, and all departments of the city. In particular, the Firm has experience in several facets of municipal law including, but not limited to, the Ralph M. Brown Act, the Public Records Act, the California Environmental Quality Act, drafting ordinances, advising on general and specific plans, annexation, development, conflicts of interest, public bidding, Proposition 218, local taxation and bonds. The Firm advises municipalities on federal, state and local laws applicable to their day-to-day operations.

#### **Community Redevelopment Law**

The Firm has earned an excellent reputation in redevelopment law. The Firm has served as general and/or special counsel to a number of cities and redevelopment agencies and redevelopment successor agencies throughout the State. The Firm has also provided all necessary advice in the formation of numerous redevelopment project areas and the adoption of redevelopment plans, assisting its clients in the process of formation and adoption from inception to implementation. Additionally, the Firm has been involved with a variety of substantial projects on behalf of its redevelopment clients, including large-scale commercial projects, "big box" retail outlets, auto malls, major office structures, large recreational and sporting facilities and the revitalization of the downtown core of a number of our municipal clients. The Firm served as counsel in the adoption of the largest multi-jurisdictional redevelopment project area in the State, and the Firm continues to provide legal advice in the implementation of that plan.

The Firm possesses a depth of experience in assisting its clients in the preparation of long-term strategies designed to achieve the agency's goals in the most efficient manner, and provides daily representation to accomplish those goals. In that regard, the Firm has had years of experience in the preparation of a wide variety of owner participation agreements and disposition and development agreements. The Firm has negotiated numerous agreements with developers and property owners and

prepared the necessary documents to effectuate those agreements; advised agencies as to publication and notice requirements; coordinated with other public agencies where required; provided advice as to the application of various environmental statutes; and served as litigation counsel in the defense of challenges to redevelopment plans and specific projects. Additionally, the Firm has authored special redevelopment legislation for the benefit of its redevelopment agency clients.

#### **ABx1 26 Compliance**

Due its extensive experience in the Community Redevelopment Law and in conjunction with assisting its several redevelopment agency clients with the dissolution process, the Firm has already gained a highly developed level of expertise in ABx1 26 compliance. The Firm has worked on the preparation of documentation required pursuant to ABx1 26, including Enforceable Obligation Payment Schedules, Recognized Obligation Payment Schedules and related documentation, as well as communicating directly with the Department of Finance on issues arising out of the same. Further, the Firm is constantly working to stay abreast of the latest developments and any pending legislation which may affect the operation of successor agencies and/or oversight boards.

In addition to working with its several redevelopment successor agency clients, Steven Quintanilla, one of the firm's principals, is currently serving as the Chair of the League of California Cities Successor Agency/Oversight Board Working Group and is also a member of the League of California Cities Housing Working Group. As a result of his involvement in these groups, the Firm is better able to stay on the cutting edge of issues and prevailing wisdom with respect to this challenging field of law.

#### **Land Use and Planning**

The Firm is well-served by attorneys who specialize in Land Use and Planning Law. Members of the Firm regularly attend Planning Commission meetings and routinely advise City Planners, Planning Commissioners and City Council Members regarding issues pertaining to all aspects of land use and planning including, but not limited to, the Subdivision Map Act, the Permit Streamlining Act, the adequacy of the general plan, the adoption of specific plans, the enactment and enforcement of zoning regulations, and the imposition of development conditions that may be attached to permits, approvals, and other land use entitlements. The Firm has also assisted its municipal clients in the preparation and implementation of ordinances that impose exactions such as dedications and development fees.

The Firm has prepared numerous land use documents, including conditional use permits, special use permits, variances, land use covenants, public improvements security instruments, statutory property development agreements and indemnification agreements. The Firm also works with its municipal clients to ensure that the proper findings are adopted when a decision is made to either approve or deny a project and that those findings are supported by sufficient evidence in the administrative record. It is the Firm's experience that such careful documentation avoids costly litigation and diminishes the chances that a client's decision will be overturned by the courts.

#### **Condemnation**

The Firm has represented and currently represents public clients in eminent domain proceedings, resulting in experience with all areas of condemnation, including the use of immediate possession procedures and the litigation of goodwill values, severance damages, and inverse condemnation. The Firm's experience in this area extends to both trial and appellate representation.

Currently, the Firm is in the process of litigating eminent domain actions for a much anticipated, multi-jurisdictional freeway interchange project. In this project, the Firm handled several pre-condemnation negotiations, the majority resulting in settlements. Of particular note, this litigation is quite complex, dealing with several overlapping jurisdictions, partial and full takings, fair valuation of easements, rights-of-way, remnants, and billboards. The Firm is actively preparing for trial in a few outstanding actions involving this project.

In addition, the Firm handled the acquisition of right-of-way for a railroad overcrossing. The case involved the complete acquisition of one small business and the loss of access for another small business. The case raised substantial issues regarding loss of goodwill, fixtures and equipment valuation, relocation, and severance damages from loss of access. Settlements were reached with all owners. In another recent case, the Firm's client acquired approximately 200 acres of land for the extension of an airport runway. Due to rampant land speculation, this case raised the issue of what impact the project had on the value of the land being acquired. The Firm ultimately acquired 95% of the needed parcels by negotiation prior to trial. Other cases have involved the acquisition of parkland for future use, road widening projects, and inverse condemnation related to the denial of a development application.

### **Real Estate Services**

The Firm has considerable experience in all facets of real estate matters ranging from secured transactions in land to complex real estate litigation. Real estate transactions in which the Firm has participated include negotiating and drafting all necessary documents pertaining to commercial construction loans, mortgages, acquisitions, sales and leases.

### **Code Enforcement**

The Firm advises its municipal clients on general code enforcement matters, and the adoption of effective code enforcement ordinances, policies and procedures. Steven Quintanilla, one of the Firm's principals, has designed a highly successful comprehensive code enforcement program for the cities of Rancho Mirage, Cathedral City, Desert Hot Springs and Coachella. By implementing the Firm's code enforcement program, these cities have enjoyed significant success in achieving code compliance and cost recovery. While the program contains the requisite criminal penalties, the focus is on gaining compliance at the administrative level by presenting code officers with a variety of civil enforcement options designed to balance a city's need for cost effective enforcement with the property owner's right to due process. Additionally, the program supports the City Prosecutor's ability to gain the Court's consent to enter onto property for purposes of inspection and abatement.

Since the success of any code enforcement program is dependent upon well-written, legally enforceable ordinances, the Firm has made a point of updating its clients' municipal codes with ordinances that can withstand legal challenge. Several of the Firm's ordinances have served as model ordinances for other jurisdictions, including the Firm's code enforcement ordinance and ordinances regulating problematic uses such as massage establishments and sexually oriented businesses.

The Firm also provides legal services to its clients pertaining to code enforcement, including code enforcement within mobilehome parks under California's Mobilehome Parks Law (Title 25) and tenant rights under the Mobilehome Residency Law. In its capacity as City Attorney and City Prosecutor for the cities of Rancho Mirage and Cathedral City, the Firm has assisted City staff in gaining the compliance of reticent mobilehome park owners and tenants who failed or refused to comply with the laws and regulations governing mobilehome parks. The Firm prepared procedures and forms for staff's administrative use and, when administrative proceedings failed, prosecuted the cases to successful completion. Perhaps the most notable of the Firm's successes in mobilehome park enforcement was

realized recently when a notorious park owner whose tenants endured hazardous public nuisance conditions including lack of reliable electricity during the coldest and hottest weather, was put out of business. Facing criminal prosecution, loss of his permit to operate the park and the loss of his ability to collect rents, the owner filed for bankruptcy protection. However, the Firm successfully petitioned the Bankruptcy Court to appoint a receiver to take over management of the park. The park is now closed and the receiver has relocated the tenants at the owner's expense.

### **Labor and Employment**

The Firm has developed expertise in advising its clients in the general area of employment law as it relates to municipal employees, and provides ongoing advice in hiring, disciplining and terminating employees. The Firm has developed personnel procedures for a number of its clients and provides free training in avoiding discrimination and harassment claims. The Firm also participates in labor negotiations with employee unions and other employee associations and assists in drafting memorandums of understanding with various employee units.

### **Public Financing**

The Firm has advised its clients in various aspects of public financing, including the formation of assessment districts, compliance with Proposition 218 and Proposition 26, the preparation of general and special tax measures, the procedures for conducting tax elections, the reasonableness of city fees and exactions, and bond financing. The Firm has substantial experience counseling clients on the restructuring or refinancing of assessment and Mello-Roos districts where changes in circumstances have resulted in financial instability. The Firm routinely assists its clients in connection with tax exempt project financing by working with underwriters, financial advisors and bond counsel to obtain financing for redevelopment and other projects. Attorneys with the Firm have also been engaged as legal counsel to municipalities in connection with such matters as restructuring of indebtedness, drafting of contracts for municipal services, and structuring of joint powers authorities involving specific project financing.

### **Revenue and Taxation**

In addition to the experience discussed under Public Finance, the Firm's attorneys routinely counsel cities in the adoption of new or increased taxes, including but not limited to utility taxes, transient occupancy taxes and assessments for public improvements and maintenance activities.

### **Telecommunications and Franchising**

The Firm has extensive experience drafting, negotiating and interpreting municipal service and utility franchise agreements. The Firm recently negotiated solid waste collection and disposal franchise agreements with two Coachella Valley cities. In addition, the Firm negotiated and assisted in drafting the current waste hauler agreements for the City of Cathedral City and the City of Victorville. The Firm is also well-versed in the Digital Infrastructure and Video Competition Act of 2006 (DIVCA).

### **Public Contracts and Construction**

The Firm routinely provides legal assistance to its clients on numerous matters involving public works contracts. The Firm's attorneys assist with all aspects of the public contracting process, including defining an adequate and definitive scope of work; reviewing public bid documents and evaluating the bid process; preparing contract documents; reviewing bonds; and determining the applicability of prevailing wage law to private developments that may have received public assistance. The range of contracts and projects upon which the Firm's attorneys have worked includes municipal electricity generating plants,

airport runway extensions, roadway projects, water and sewer pipelines and infrastructure, public grading projects, libraries, city halls, and personal services contracts.

### **Municipal Solid Waste**

The Firm has been extensively engaged in matters relating to municipal solid waste. It has provided advice and representation to its clients in connection with the development, operation and closure of land fills, including regulatory and environmental issues. It has been involved in various matters relating to material recovery facilities, including negotiation of contracts, siting and environmental issues and rail-haul related programs. The Firm has assisted in the negotiation of waste service and hauling contracts between municipal entities and waste companies and has counseled its clients on compliance with the waste reduction requirements of AB 939 and on recycling and green waste issues. In addition, the Firm has provided representation in connection with joint powers authorities for waste management services, including formation of the authority and operational and regulatory issues, and it has established a Comprehensive Mandatory Waste Collection and Disposal Program for a Community Services District.

### **Affordable Housing**

The Firm has assisted in the creation of a number of housing-related programs, including in-fill housing, first time buyer mortgage assistance, single family rehabilitation, multi-family construction, inclusionary housing, and mobile home park conversion. In all of these programs, the Firm has assisted its clients in the initial stages of development or program creation and has provided services with respect to the implementation of the development or program. The Firm has also represented its clients in a number of multi-family affordable housing projects receiving substantial state and federal assistance. The Firm often counsels its clients on their compliance with affordable housing requirements, in particular ensuring that its clients meet their housing numbers and properly use their Low/Mod Housing Income Fund monies of former redevelopment agencies. The Firm has extensive experience in downtown redevelopment, having been deeply involved in the effort of the City of Cathedral City to create a downtown core. The components of that effort include theater uses, commercial and retail, a parking structure, hotel uses and affordable housing.

### **Mobilehome Parks**

Several of the Firm's clients, including the cities of Cathedral City and Rancho Mirage, maintain mobilehome rent control commissions. Attorneys from the Firm have routinely attended mobilehome rent control commission meetings for many years and routinely advise the respective commissions on legal issues before them. The Firm's attorneys are familiar with mobilehome rent control ordinances, the Mobilehome Residency Law, the Mobilehome Parks Act, Title 25 of the California Code of Regulations, and all other aspects of mobilehome park law as they relate to cities. The Firm has also litigated rent control cases on behalf of cities at both the Superior Court and appellate levels.

### **Water Law**

The Firm has represented the Victorville Water District as general counsel since the District's inception in 2007. Prior to inception, the Firm was instrumental in consolidating two former water districts to form the Victorville Water District and effectively worked with the Local Agency Formation Commission (LAFCO) to see the process through to fruition. The Firm has experience in various facets of water and wastewater law including, but not limited to, water and wastewater fees, water service contracts, reclaimed water service contracts (purple pipe), groundwater remediation efforts, and

legislative and regulatory consulting. The Firm was involved in the Mojave Basin Area Groundwater Adjudication, thereby protecting water rights for its client, the City of Victorville.

Hand in hand with water issues, the Firm deals extensively with wastewater issues. One of the Firm's clients is a member of Victor Valley Wastewater Reclamation Authority. The Firm's attorneys are well-versed in negotiating and drafting joint power authority agreements, sludge management agreements, water and wastewater diversion agreements. The Firm also prides itself on its assistance with building a wastewater treatment plant from the ground up in 2008. The Firm negotiated all contracts and was intimately involved in the permitting process for the wastewater treatment plant. In addition to Ms. Mizrahi, attorney Tara Taguchi is experienced in this area and has published a law review article on groundwater basins.

#### **Disability Law**

The Firm's attorneys provide legal advice to its municipal clients on disability law rights and obligations, including those incurred under the Americans with Disabilities Act. Most recently, the Firm prepared a policy regarding service working animals at a housing authority-owned affordable housing complex for one of its clients.

#### **Workers Compensation/Employment Discrimination**

The Firm's clients are generally covered by the Employment Risk Management Authority (ERMA) for matters such as workers compensation, employment discrimination, etc. ERMA generally assigns such matters to outside law firms. However, ERMA occasionally assigns such matters to the Firm and the Firm is fully capable of representing the City in all such matters.

#### **General Municipal Litigation**

The Firm has a sophisticated general municipal litigation practice which involves providing its public agency clients with pre-litigation advice, representing its clients during arbitration proceedings, serving as trial counsel and, when necessary, representing its clients throughout the appeal process.

In the context of its general municipal litigation practice, the Firm has represented its public agency clients as both plaintiffs and defendants on a broad range of issues, including but not limited to code enforcement, eminent domain, validation actions, environmental compliance, real estate disputes, breach of contract matters, assessment district foreclosures, and wrongful termination. The Firm has also provided and continues to provide litigation and advisory services to public entities and issuers concerning the legality of bond issues and the enforcement of construction and service contracts funded by such bond issues.

#### **Environmental Law and Litigation**

The Firm has an active environmental practice and has expertise in various areas of environmental law. The Firm has considerable experience with interpreting and applying the California Environmental Quality Act (CEQA), particularly as it bears on the planning and implementation of public entity projects and financing, including environmental issues related to redevelopment projects and military base reuse. The Firm has a consistent and impressive record relating to the realization of client projects in full conformity with CEQA and CEQA Guidelines. In addition, the Firm has considerable experience with litigating CEQA issues on behalf of public sector clients, both at the trial and appellate levels.

## **CONFLICTS OF INTEREST AND CLIENTS**

There are no current or former clients known to the Firm having a substantial property or business interest in the Oversight Board for the Successor Agency of the City of Huntington Park during the past three (3) years. There are no foreseeable conflicts of interest with any of the Firm's current clients and the Oversight Board for the Successor Agency of the City of Huntington Park. In the unlikely event a potential conflict of interest were to arise, the Firm would seek a conflict waiver from both clients and provide work on the matter to both clients without charge. In the extremely unlikely event an actual conflict of interest were to arise, the Firm would be required to recuse itself from representation of both clients as to that particular matter pursuant to the California Rules of Professional Conduct which apply to all attorneys.

## **CURRENT PUBLIC AGENCY CLIENTS**

### **Cities**

City of Cathedral City  
City of Rancho Mirage  
City of Victorville  
City of Chula Vista (Special Counsel)

### **Redevelopment Successor Agencies**

Cathedral City Redevelopment Successor Agency  
Rancho Mirage Redevelopment Successor Agency  
Redwood City Redevelopment Successor Agency  
Victor Valley Economic Development Authority  
Victorville Redevelopment Successor Agency

### **Other Public Agencies**

Coachella Valley Mosquito and Vector Control District  
Joint Public Finance Authority (Victorville)  
Palm Springs Cemetery District  
Orange County Cemetery District  
Palm Springs Desert Resorts Convention and Visitors Authority  
Rancho Mirage Housing Authority  
Southern California Logistics Airport Authority  
Southern California Logistics Rail Authority  
Southern Coachella Valley Community Services District  
Victorville Water District

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Please accept the Firm's gratitude of providing the Oversight Board for the Successor Agency of the City of Huntington Park with the highest possible level of legal services at a reasonable cost, and providing a level of responsiveness and accessibility that the Oversight Board cannot receive elsewhere. If you should have any questions with regard to the contents of this proposal, or would like any further response to the Request for Proposals, we would be pleased to respond.



We appreciate your consideration of Green, de Bortnowsky & Quintanilla for the role of Legal Counsel of the Oversight Board for the Successor Agency of the City of Huntington Park.

Respectfully submitted,

GREEN, de BORTNOWSKY & QUINTANILLA, LLP

A handwritten signature in black ink, appearing to read 'C. Green', with a long horizontal flourish extending to the right.

Charles R. Green



RENNE SLOAN HOLTZMAN SAKAI LLP

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June 20, 2012

DAVID KAHN  
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(415) 678-3810

**VIA EMAIL AND U.S. MAIL**  
**Macosta@huntingtonpark.org**

Jack L. Wong  
Interim Community Development Director  
City of Huntington Park  
Successor Agency  
6650 Miles Avenue  
Huntington Park, CA 90255

**Re: Response to RFQ for Legal Services of the Oversight Board  
for the Successor Agency of the City of Huntington Park**

Dear Mr. Wong:

Renne Sloan Holtzman Sakai LLP, Public Law Group™, is pleased to provide its response to the above-referenced Request for Qualifications issued by the Oversight Board for the Successor Agency of the City of Huntington Park.

The firm is proposing me as lead attorney for the project. Below is my contact information:

**Firm Contact Info:**

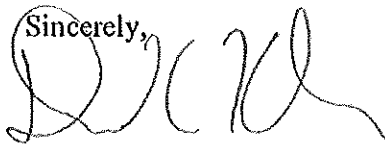
Renne Sloan Holtzman Sakai LLP  
350 Sansome Street, Suite 300  
San Francisco, CA 94104  
(415) 678-3800 - main  
(415) 678-3838 - fax

**Attorney Info**

David Kahn, Partner  
(415) 678-3810  
[dkahn@publiclawgroup.com](mailto:dkahn@publiclawgroup.com)

Renne Sloan Holtzman Sakai LLP is exceptionally well-qualified to provide legal services to the Oversight Board of the City of Huntington Park. We have experience representing both cities and counties in redevelopment matters, and currently represent several Oversight Boards.

I have the authority to commit the firm to this proposal. We look forward to the opportunity to provide legal services to the Oversight Board for the City of Huntington Park.

Sincerely,  


David Kahn

**ATTACHMENTS:** Proposal to Provide Legal Services  
Resume of David Kahn





## I. APPROACH TO LEGAL SERVICES AND FIRM OVERVIEW

Renne Sloan Holtzman Sakai LLP, Public Law Group™, is pleased to submit this proposal to provide legal services for the Oversight Board for the Successor Agency of the Redevelopment Agency of the City of Huntington Park.

Renne Sloan Holtzman Sakai was founded to provide effective, efficient, and creative legal services to meet the distinctive needs of local governments. Our philosophy is to provide advice and representation that allows policy makers and boards to achieve their goals while minimizing legal risk. We represent public agencies, including the State of California, the University of California, California State University, and numerous cities, counties and special districts, as well as school and community college districts. We have extensive experience advising and representing public agencies on all areas of California Community Redevelopment Law, public contracts, affordable housing and real property law. The firm maintains offices in San Francisco and Sacramento, with satellite offices in Albany and Los Angeles.

Attorneys on our General Government Team have decades of high-level experience representing public entities. **Louise Renne** served as San Francisco's City Attorney for sixteen (16) years, overseeing a 200-lawyer public law office and pioneering novel approaches to public law matters. **Jonathan Holtzman** worked for the City and County of San Francisco for fifteen (15) years in a variety of roles including Chief Deputy City Attorney and director of Policy and Labor for Mayor Willie L. Brown Jr. **David Kahn** served as the City Attorney and Redevelopment Agency General Counsel for the City of Sunnyvale for seven (7) years, and prior to that served as Senior Deputy County Counsel for Santa Clara County for five (5) years. **Randy Riddle** served as the City Attorney for the City of Richmond and General Counsel to the Richmond Redevelopment Agency, and previously served as lead attorney for the San Francisco Department of Elections, Chief of the San Francisco City Attorney's Government Litigation Group and Chief Counsel to the California Secretary of State. **Teresa Stricker** possesses extensive public law experience, and previously served as a San Francisco Deputy City Attorney specializing in general government law counseling and litigation, constitutional law, and appellate advocacy. **Scott Dickey** served as the Chief Deputy City Attorney for the City of Richmond, and previously served as a San Francisco Deputy City Attorney specializing in general government law counseling, litigation, administrative law and appellate advocacy.

Our General Government Team brings together:

- Extensive experience in the practice of municipal law;
- Significant experience in land use and redevelopment law;
- Expertise in litigation, writ practice and appellate advocacy in state and federal courts;
- Extensive experience appearing before and advising administrative bodies;
- First rate reputations within the legal community at local, state and federal levels;
- Extensive experience providing legal advice to all municipal departments, including City Clerk, City Manager/Chief Administrative Officer, Community Development, Community Resources, Finance, Fire Administration, Housing, Personnel, Police Administration, Recreation and Parks, Public Works and Redevelopment;





- Proven ability to develop and maintain critical relationships with political bodies, including city councils, boards of supervisors, other boards and commissions; and
- Proven ability to proactively solve legal issues for city departments prior to reaching the litigation stage, and to communicate changes in the law effectively to city departments and officials.

## II. PROPOSED LEGAL COUNSEL FOR OVERSIGHT BOARD

Although we work as a team, providing a network of legal support for our public sector clients across all of our practice areas, we are pleased to propose **David Kahn** as the primary provider of legal counsel services for the Oversight Board for the City of Huntington Park. David brings extensive experience in the California Community Redevelopment Law, ABx1 26, public contracts, affordable housing, and real property law. He joined the Public Law Group™ in 2012 immediately after 7 years as a Redevelopment Agency General Counsel and representing a Successor Agency and Oversight Board as counsel in 2012 to commence implementation of ABx1 26. He currently represents Oversight Boards in three cities.

David will have the ability to draw on internal Public Law Group™ resources for additional expertise in a variety of areas, including conflicts, and ethics matters. We have included as Attachment A, David's professional resume.

David is prepared to undertake all legal duties for the Oversight Board, including:

- Serving as counsel at all Oversight Board meetings and responding to all Brown Act, conflict of interest, parliamentary procedure, and other legal issues.
- Providing legal advice and guidance on ABx1 26 obligations and responsibilities of the Oversight Board, as well as its fiduciary responsibilities.
- Providing legal advice and counsel on ABx1 26 issues and mandatory/discretionary actions before the Oversight Board.
- Providing legal advice on the Oversight Board's relationship with the Successor Agency.
- Providing thorough legal opinions as requested by the Oversight Board.
- Responding promptly to requests for other duties within the scope of the Oversight Board.

David has experience in working with elected officials with divergent viewpoints and policy goals.

## III. REFERENCES

| City/County                                                                                              | Reference                                                                                                                         | Description of Work                                                                                                                         |
|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| City of Sunnyvale<br>Sunnyvale City Hall<br>456 W. Olive Avenue<br>Sunnyvale, CA 94086<br>(408) 730-7500 | Gary Luebbers<br>City Manager<br>(408) 730-7242<br><a href="mailto:gluebbers@ci.sunnyvale.ca.us">gluebbers@ci.sunnyvale.ca.us</a> | <i>Represented for four years in his capacity as City Manager; advised weekly on multiple finance, redevelopment and city legal issues.</i> |





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|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>City of Sunnyvale</b><br>Sunnyvale City Hall<br>456 W. Olive Avenue<br>Sunnyvale, CA 94086<br>(408) 730-7500 | <b>Grace Leung</b><br>Finance Director and Oversight Board<br>Member<br>(408) 730-7398<br>gleung@ci.sunnyvale.ca.us                    | <i>Advised for 4 years as Finance<br/>Director on redevelopment,<br/>ABx1 26, successor agency<br/>and oversight board issues.</i> |
| <b>County of Santa Clara</b><br>70 W. Hedding Street<br>San Jose, CA 95110<br>(408) 615-2220                    | <b>John Guthrie</b><br>RDA Consultant (Former Finance Director)<br>Finance Department<br>(408) 299-5200<br>John.Guthrie@fin.sccgov.org | <i>Advised for 5 years as County<br/>Finance Director on finance,<br/>tax, and redevelopment<br/>matters.</i>                      |

#### IV. CONFLICTS STATEMENT

We know of no current or potential conflicts of interest that would prevent us from providing legal services to the Oversight Board to the Successor Agency to the Redevelopment Agency for the City of Huntington Park.

#### V. FEE PROPOSAL

The Firm will bill the City of Huntington Park for professional services at our public agency discounted hourly billing rate.<sup>1</sup> David Kahn's discounted hourly rate for this project will be \$285 per hour. David currently is counsel to three other Oversight Boards. To the extent that research or work is equally applicable to all oversight boards, the hourly rate will be pro-rated based on the total number of oversight boards represented. Our associate rates depend on the associate's years out of law school and the rates are \$205 to \$285 per hour. Paralegals are billed at \$95 to \$125 per hour. Billing is done in 1/10s of an hour increments.

We propose, as an alternative billing structure, an agreement that includes a retainer of \$4,000 per month for up to 15 hours of legal services. Time will be calculated every three (3) months so there is additional cost only if time exceeds 45 hours over a three (3) month period.

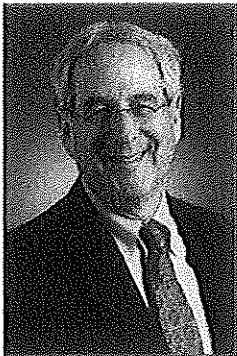
In addition, the Firm charges separately for certain costs incurred in the representation, as well as for any disbursements to third parties made on a client's behalf. Such costs and disbursements include, for example, the following travel-related expenses such as economy air fare, computer-assisted research, transcription, overnight delivery and messenger services. The Firm also bills for time spent traveling on a client's behalf at our normal hourly rates. However, for the Oversight Board, travel time will only be billed between Los Angeles International Airport and the City of Huntington Park offices.

We will bill you on a monthly basis for services performed and costs incurred. Payment is due within 30 days of the date an invoice is rendered. Past due amounts will be shown on the invoice.

You may terminate our services at any time, subject to any applicable requirements for withdrawal of counsel imposed by a tribunal. The Firm reserves the right to withdraw from the representation for failure of the client to make timely payment of fees, costs, and disbursements in accordance with the fee arrangement described in this letter, or for any other reason permitted by the applicable Rules of Professional Conduct.

<sup>1</sup> These rates are reviewed and may be modified every year, generally in January.





## David Kahn

### Partner

#### EXPERIENCE

Mr. Kahn advises and represents both public agency and private clients on public agency law, redevelopment, and land use issues. Mr. Kahn brings to his clients over 30 years of public agency experience and creative solutions to complex public issues and public-private partnerships. He has represented both a City and a County on redevelopment issues and can bring that unique perspective to current redevelopment successor agency wind-down issues and oversight boards. As City Attorney for Sunnyvale, California and Mercer Island, Washington, Mr. Kahn represented and advised City Councils and City Managers, in addition to planning, human resources, police and fire, finance, and public works departments. Mr. Kahn's experience as Senior Deputy County Counsel for Santa Clara County included representation of the sheriff's department, Superior Court judges, grand jury, County airports, finance and tax collector. He has advised on Brown Act, California Public Records Act, and Conflict of Interest regulations. He has also been the legal advisor to citizen committees such as the Census 2000 County Redistricting Committee and Charter Review Committees. Mr. Kahn also has substantial appellate advocacy experience. Mr. Kahn received the 2003 County Counsel Litigation Award, and is rated AV-Preeminent by Martindale-Hubbell.

Some of the cases and issues Mr. Kahn has provided advice and representation on include:

- Complex \$750 million redevelopment project of downtown. Representation included removal of defaulting developer, renegotiation of development agreement, environmental remediation and coordination with Regional Water Quality Control Board, and creative solutions to continue Project progress during 2008-09 economic downturn.
- Closure and re-use of military base in City.
- Advising City Councils for 12 years, including on controversial issues such as medical marijuana, group housing and campaign finance reform ordinances.
- Challenges under CEQA to City projects.
- Negotiations on behalf of City with County and Affordable Housing Agency leading to partnership and construction of senior affordable housing at County Clinic site.
- Representation of County in 2003 PGE bankruptcy litigation.

#### SAN FRANCISCO OFFICE

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#### PRACTICE AREAS

Government Law and Litigation

General Counsel to Public Agencies

Redevelopment (Successor  
Agencies and Oversight Boards)

Land Use and Development

Sustainability

CEQA

#### BAR ADMISSION

California

Washington (Inactive)

Navajo Nation (Inactive)

#### EDUCATION

Boalt Hall Law School, University of  
California, Berkeley, J.D.

University of California, Santa Cruz,  
B.A.



- Representation of County in binding arbitration for airport operator lease payment dispute.
- Trial and appellate counsel for County in Subdivision Map Act litigation.
- Representation of City in litigation to preserve historical restaurant and tavern from nuisance challenge.
- Representation of police officer at Inquest Hearing for first officer-involved shooting fatality in City.

#### Related Experience

Immediately prior to joining Renne Sloan Holtzman Sakai, Mr. Kahn was City Attorney/Redevelopment Agency General Counsel for the City of Sunnyvale for seven years and handled the complete range of government law issues. From 2000-2005, Mr. Kahn was Senior Deputy County Counsel for the County of Santa Clara. From 1995 to 2005, Mr. Kahn served as City Attorney for the City of Mercer Island, Washington. Mr. Kahn was Deputy City Attorney/Chief of Litigation for Bellevue, Washington, from 1988-2007, where he litigated a number of high profile cases and provided appellate advocacy in both the Court of Appeals and Washington Supreme Court. Mr. Kahn began his city attorney experience with the City and County of San Francisco, where he was a team leader for a litigation team representing the police department, school district, MUNI and public works department. Mr. Kahn was also a Deputy Public Defender for Santa Clara County, where he tried both felony and misdemeanor matters.

During law school, Mr. Kahn was an extern to the Chief Justice of the Alaska Supreme Court, as well as a law clerk with DNA Legal Services on the Navajo Nation. Prior to law school, Mr. Kahn was a VISTA Volunteer with Community Legal Services in San Jose.

#### Reported Appellate Cases

- *Pfeiffer v. City of Sunnyvale*, 200 Cal. App. 4th 1552 (2011)
- *Trinity Park LP v. City of Sunnyvale*, 193 Cal. App. 4th 1014 (2011)
- *Sunnyvale West Neighborhood Assoc. v. City of Sunnyvale City Council*, 190 Cal. App. 4th 1351 (2010)
- *Van't Rood v. County of Santa Clara*, 113 Cal. App. 4th 549 (2003)
- *Zilog v. Superior Court*, 86 Cal. App. 4th 1309 (2001)
- *Lillian F. v. Superior Court*, 160 Cal. App. 3d 314 (1984)
- *Peterson v. City of Bellevue*, 56 Wash. App. 1 (1989)
- *Crippen v. City of Bellevue*, 61 Wash. App. 251, cert. denied 117 Wash. 2d 1015(1991)



- *Rozner v. City of Bellevue*, 116 Wash. 2d 342 (1991)
- *IAFF v. City of Bellevue*, 119 Wash. 2d 373 (1992)
- *Mull v. City of Bellevue*, 65 Wash. App. 245 (1992)
- *Bellevue 120th Associates v. City of Bellevue*, 65 Wash. App. 594, cert. denied 818 P. 2d 1098

#### Professional Activities

- *California League of Cities, City Attorney Division, Brown Act Committee (2011-present)*
- *California League of Cities, City Attorney Division, Nominating Committee (2011)*
- *California League of Cities Legal Advocacy Committee (2007-09)*
- *Santa Clara County Bar Association Judiciary Committee (2001-02)*
- *Washington State Bar Association, Trustee*
- *Member, United States District Court Magistrate Judge Selection Committee*
- *Chair, United States District Court Pro Bono Committee (1996-1998)*